

MEMBERS PRESENT

Supervisor John Haughton
Councilman Frederick Doerrer
Councilman Peter Jaikin
Councilwoman Marie Gressler
Councilman Kevin Snell

OTHERS PRESENT

Atty. Kenneth Ayers, Atty. Jordan Hitch
Atty. Genevieve Trigg. Atty. Colin O'Connor
Lloyd Hall, Jason Presisner, Andrew Chlus,
Dave Chlus, Deb Chlus, Joe Chlus,
Stephen Duessler

Supervisor Haughton called the Public Hearing to order at 6:30pm, roll call was taken and the pledge of allegiance recited.

Notice of Public Hearing:

- Town Clerk state that the Notice of Public Hearing was in the Town of Manheim’s Official Newspaper, the Time Telegram on May 11, 2022 and posted on the Town of Manheim’s website and at the Town Hall on May 9, 2022.
- The Town Clerk has entered a copy of the Public Notice and Proof of Publication into the Record containing contact information for public participation adhering via in telephone conference.
- Notice of the Public Hearing and Survey were sent to Stephen Duessler by Certified Mail on May 11, 2022 and signed for on May 14, 2022.

Supervisor Haughton read the following Opening Statement:

OPENING STATEMENT
PUBLIC HEARING
On
Discontinuance of Saltsman Road
May 23, 2022

This hearing is being held pursuant to Section 171(2) of the Highway Law in connection with the proposed discontinuance of portions of the Town Highway known as Saltsman Road located wholly within the Town of Manheim, Herkimer County, New York and depicted as Parcels 1,2, and 4 on a Survey for the Town of Manheim dated December 18, 2020, attached as Exhibit A to the Application for Discontinuance.

The purpose of this hearing is to afford the general public an opportunity to make statements and comments about the proposed discontinuance, including whether the annexation is in the overall public interest.

The hearing will remain open until all members of the public who are present physically, virtually, or by phone have been given an opportunity to make statements or comments on the proposed project. This is not a question -and-answer session. A recording of this hearing is being made. The Town Clerk will accept written comments submitted prior to or during the hearing.

Comments presented at this hearing will be taken into consideration by the Town Board as part of their review of the proposed discontinuance.

Description of Proposed Discontinuance of Town Road:

Kenneth Ayers, Esq. gave the following description:

- Showed the public the map of the area that is involved.
- Two Parcels that are involved. First parcel is owned in fee by the Town and the second parcel is owned by CB Farmland, LLC.
- The other parcel that is being discontinued is a small section on the South Side of Old State Route 23. It needs to be repaired. If the other section is being discontinued this smaller section does not need to be repaired.
- This road has been washed out several times in the past 10 years at a great expense to the Town and then it gets washed out again, that is one of the contributing factors that the Town is looking at the discontinuance.
- Coming down Saltsman Road there is a 180 degree turn to get into Brookfield’s property.
- What the Town is proposing is that from the end where the road is discontinued there will be an improvement to Saltsman Road to provide a turn around which would provide enough swing space for a tractor trailer to come down the hill make the turn and go into Brookfield’s property.
- The traveling public can also go down the road make the turn around and head back out. Brookfield’s property is private.
- This road will provide fire/life safety and will be maintained year-round. It will not be a seasonal road or a minimal maintenance road. It will be maintained like all the other Town Highway Roads.

Jason Preisner with Lamont Engineering:

- Prepared the preliminary sketch for the Town.
- The visual that is on display there is a tractor trailer drawn and that is actually for a tractor trailer with a 62-foot wheel base and that turning radius is the path that the truck would take based on

standards for when they design truck turn arounds and parking lots. The blue line on the map shows the tear drop turn around. We made it a little bit wider by about 10 feet to make sure there was enough room.

The Public Hearing for Public Comment Opened: 6:37 pm

PUBLIC COMMENT PERIOD

- Written Comment from Todd & Susan Kubica and is on file with the Town Clerk

Date: 5/23/22

received
5/23/2022
CL
3:55
PM

To: Town of Manheim

From: Todd and Susan Kubica
203 Snells Bush Road
Little Falls, New York 13365

Regarding: Discontinuance of portions of Saltsman Road as a Town highway

To Whom It May Concern:

Due to a conflict with another meeting we are not able to attend tonight's meeting. After reading the "ORDER OF TOWN SUPERINTENDENT OF HIGHWAYS DISCONTINUING PORTIONS OF A TOWN HIGHWAY," specifically in the matter of discontinuance of Saltsman Road as a Town Highway, we have come to the conclusion that we are against such action by the Town of Manheim. It is our belief that that by not repairing the road there is a safety concern for access to the hydroelectric plant should extensive repairs be needed such as moving in large pieces of equipment (i.e. turbine/rotor) or moving in emergency equipment should there be a fire or an act of domestic terrorism. That road provides a straight line of access to the plant.

On a secondary note, my family has lived at the above address since 1959. I must have ridden my bicycle on that road thousands of times. Up until the flood that rendered the road impassable, Sue and I and my kids utilized the area as a recreational destination close to our home. We are not the only one's who made this a recreational destination, as on any given day you could see other people enjoying themselves as well. The people of the Town of Manheim should have access to this magnificent area.

While we like and respect our neighbors that are referenced in the "Discontinuance Proposal" we are against the action.

Todd and Susan Kubica



Genevieve Trigg, Attorney with Barclay Damon and represents Brookfield Renewable Energy.

- They are also opposed to the closure of Saltsman Road.
- They understand that there has been alternative access provided. They do not believe that it is sufficient due to the grading.
- Concerned about trucks turning and maintenance is not adequate and sufficient.
- If the Town is going to continue with this option she would like to work with the Town Engineer
- A letter was given to the Town Board Members and is on file with the Town Clerk.

Stephen Duessler

- Lives on Saltsman Road. Appreciates his neighbors but opposes closing that road for safety reasons.
- They can improve that road all they want but when winter comes and it blows shut at night he is stuck down there. If he falls and gets injured, he has no way out, he feels trapped. If that lower road is open, he can always get out. It never drifts there.
- Nobody is going to take care of that road 12 o'clock at night if we got some snow and wind coming.
- I feel the same concern for Brookfield. If someone gets hurt down in there and also, they have to be able to get them out of there.
- He sees Brookfield going in and out of there all times of night.
- He has been there on his property since early 1994
- Wants to know why the Hess piece on the lower end is involved in this.

- Believes that Mr. Hess is wanting to close that portion in spite, in Mr. Duessler's opinion. His father has patched pot holes and Mr. Hess has removed it.
- Did anyone notify the State about that road? They like to park their equipment on that road.
- The County too. They are actually parked there now on Old State Route 23.
- He also sees DEC use that Road too put the fish in.
- When he goes down through with his tractor to his mother and fathers in St. Johnsville it is safer to pull out from that road than Snells Bush road with a little tractor or lawn mower, so that is another safety issue.
- If you do rebuild that road maybe you should look at cleaning the creek out with Brookfield's help maybe you could get a permit because they have a lot more power.
- If the Town and Brookfield work together maybe they could get a DEC permits to realign the creek and maybe use the stuff from the creek to fix the road because that is what they did last time.
- If you are going to improve Saltsman Road from the top what is that going to do to his property line with all the trees? Is he going to lose them? That road is narrow and it needs to be widened. It is awful dangerous in the winter and if anyone has noticed the ditches are really deep and close to the road. I don't know how you would go through there with a snowplow a lot of work needs to go into that.
- He owns a lot of road frontage and he is afraid that he is going to lose a lot of that.
- There is a lot of history on Saltsman Road.
- Thinks that the roadway can be raised up and it will no longer wash out.
- Has hired a lawyer to see what is best for him.

Colin O'Connor

- He is aware that FEMA offered to repair the roadway
- FEMA would pay 75% of the cost and 12.5% would come from the State and 12.5% would come from the Town. The 12.5% from the Town would be about \$60,000.00 and he thinks that, that cost would not be a burden to the Town.

A Motion was made by Councilman Jaikin and was seconded by Councilman Doerrer to close the Public Hearing on the Discontinuance of a Portion of Saltsman Road at 6:51pm. Ayes All

Motion was made by Councilwoman Gressler and was seconded by Councilman Snell to adjourn the Public Hearing at 6:51 pm. Ayes All

Respectfully Submitted,

Carrie Rockwell

Town Clerk