

TOWN OF ELBRIDGE
TOWN BOARD PUBLIC HEARING & MEETING
JULY 28th, 2011

CALL TO ORDER: Supervisor Bush called the meeting to order at 7:00 PM and led the Pledge of Allegiance.

PRESENT: Councilor Rita Dygert, Councilor Vern Richardson, Councilor Bill Kuhn, Councilor Doug Blumer, and Supervisor Ken Bush.

OTHERS PRESENT: Attorney Dirk Oudemool, Dave Gonyea, Gretchen and Dan Leary, Beth Miccio, Dave Kochman, Dave Donahue, Dennis Pelmeur, Highway Superintendent; Celeste Karakas, Assessor; and Deb Stapleton, Clerk. Historian Jack Horner entered the meeting at 7:08.

PUBLIC HEARING:

In the Matter of the Petition for the extension of the West Elbridge Water District, in the Town of Elbridge, pursuant to Article 12 of the Town Law, to be known as Extension #1 of the West Elbridge Water district

ORDER CALLING PUBLIC HEARING:

WHEREAS, A petition by the Wheeler Family Trust has been filed requesting water service and for the extension of the District in the Town to be bounded and described as follows: commencing at the southeast corner of tax map parcel #039.-01-04.0 and extending northerly along the centerline of Wheeler Road approximately 93 feet to the two family residence known as 5485 Wheeler Road; thence westerly at a right angle to said Wheeler Road to a point 1000 feet from said centerline; thence southerly to the said tax map parcel, coursing at a distance of 1000 feet from the centerline of Wheeler Road; thence easterly along the south line of said tax map parcel to the point and place of beginning.

WHEREAS, no district improvements are required to service the extended district area; and

WHEREAS, no public funds are proposed to be expended for the extension of the district; and

WHEREAS, it has been estimated that the cost to the petitioners two family residence will be \$426.58 annually for 15 years and \$250 for a water meter:

NOW, THEREFORE, IT IS ORDERED that a meeting of the Town Board of the Town of Elbridge shall be held at the Elbridge Municipal Building located at Route 31, Jordan, NY July 28th, 2011 at 7:00 in the evening of that day to consider the said petition and to hear all persons interested in the subject thereof concerning the same and for such other action on the vote of said Town Board with relation to the said petition as may be required by law or proper in the premises.

Public Hearing notice appeared in the July 13th 2011 Eagle Observer and was available and was posted at the Town Clerk's Office, Jordan and Elbridge Post Offices, Elbridge M&T Bank and Jordan Lyons Bank.

Supervisor: Does anyone wish to speak in favor of the extension of the West Elbridge Water District? No one.

Supervisor: Does anyone wish to speak against the extension of the West Elbridge Water District? No one.

Supervisor Bush closed the Public Hearing at 7:05.

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The Town of Elbridge met in regular session and Supervisor Bush called the meeting to order at 7:06 PM.

PRESENT: Councilor Rita Dygert, Councilor Vern Richardson, Councilor Bill Kuhn, Councilor Doug Blumer, and Supervisor Ken Bush.

OTHERS PRESENT: Attorney Dirk Oudemool, Dave Gonyea, Gretchen and Dan Leary, Beth Miccio, Dave Kochman, Dave Donahue, Dennis Pelmeur, Highway Superintendent; Celeste Karakas, Assessor; Jack Horner, Historian; and Deb Stapleton, Clerk

ADOPT MINUTES: On a motion of Councilor Dygert, seconded by Councilor Richardson, the minutes of June 23rd were approved.

MOTION TO PAY BILLS: Councilor Richardson, seconded by Councilor Kuhn made a motion that General Bills Abstract #8, Vouchers #361-445, in the amount of \$86,233.49 were ordered paid, and Highway Bills, Abstract #8, Vouchers #103H-117H, in the amount of \$39,097.75 were ordered paid with a total disbursement of \$125,331.24.

Councilor Richardson, seconded by Councilor Dygert made a motion that the following budget modifications were approved.

BUDGET MODIFICATIONS:

From DB5110.1 Road Repairs- Pers. Services \$ 5000.

To DB5148.1 Road Repair- Pers. Other Gov'ts.

From A3310.1 Traffic Control- Pers. Services \$500.

To A3310.4 Traffic Control- Contractual

From DA5142.1 Snow removal- Pers. Services \$6000.

To DA5142.4 Snow Removal- Contractual

COMMUNICATIONS:

1) A request from the Weedsport Winter Wanderers, Inc. for permission to use two portions of Town property for snowmobile trails.

GUEST:

1) David Gonyea of Bay Road, Jordan

Mr. Gonyea asked previously who owns the property where his well is located and Counsel believes the town owns the land. It was suggested the property be surveyed and then dealt with. The construction company working on the thruway has been going over this land with large trucks, and has verbally agreed to take care of it once they're through. Mr. Gonyea exited the meeting at 7:28.

OLD BUSINESS:

Councilor Dygert mentioned the renewal of the Senior Transportation Committee is overdue, and would like it to coincide with the Organizational meeting in January.

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NEW BUSINESS:

RESOLUTIONS:

On a motion by Councilor Dygert, seconded by Councilor Kuhn, the following resolution was

ADOPTED: Ayes 5 Dygert Richardson Kuhn Blumer Bush
Nays 0

Resolution 96-11

Resolved: the Elbridge Town Board resolves to extend the appointment of the Senior Transportation Committee members Phil Dann, Floyd Duger, Dan Conroy, Shirley Drummond, Catherine Isbell, Gretchen Leary, Gloria Novak, and Jan Richardson through December 31, 2011.

Councilor Dygert discussed the possibility of considering a noise ordinance regarding all terrain vehicles (ATV) and recreational vehicles. This would exclude gardening/landscaping vehicles. It would specifically target racing and racing practices. This would also include motorbikes. There has been a complaint of many hours of motorized noise up behind the high school that can be heard clearly inside a resident's house, and making outdoor conversation difficult. There was considerable discussion on distance from property lines and how to enforce noise issues. Counsel notified the board of a private nuisance law that you couldn't do on your property something that unreasonably interferes with the peace and enjoyment of property next door.

On a motion of Councilor Dygert, seconded by Councilor Kuhn, the following resolution was

ADOPTED: Ayes 5 Dygert Richardson Kuhn Blumer Bush
Nays 0

Resolution 97-11

Resolved: the Elbridge Town Board resolves to hold a PUBLIC HEARING on August 25th, 2011 the purpose of which is to amend our municipal code by adding a new Chapter 15 to be titled "Pyrotechnics Display" and adopt the following regulations:

§ 15.1 This Chapter implements the provisions of Section 405.00 of the Penal Law.

§ 15.2 The Code Enforcement Officer is authorized to issue all permits required by this chapter and is authorized to enforce these regulations.

§ 15.3 No pyrotechnics displays shall be allowed without a permit issued by the Town of Elbridge.

§ 15.4 A permit for a pyrotechnic display may be issued as provided for in Section 405 of the Penal Law.

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On a motion by Councilor Richardson, seconded by Supervisor Bush, the following resolution was

ADOPTED: Ayes 5 Dygert Richardson Kuhn Blumer Bush
Nays 0

Resolution 98-11

Resolved: the Elbridge Town Board resolves to extend the Elbridge West Water Line to 5485 Wheeler Road to a residence.

The description of this extension is in the Public Hearing notice.

On a motion by Councilor Richardson, seconded by Councilor Kuhn the following resolution was

ADOPTED: Ayes 5 Dygert Richardson Kuhn Blumer Bush
Nays 0

Resolution 99-11

Resolved: The Elbridge Town Board approves Cayuga Excavating for the Hart Lot Water Main at a cost of \$271,885.00 as the lowest bidder, pending legal Counsel's approval.

REPORTS:

Assessor: report on file. Assessor Karakas discussed equalization rates and aid.

Highway Superintendent: report on file. Two major projects are about done- Crossett Rd, and Barker Rd. Gary Place has been in to work on the AC. Saw some spots on the JET and Councilor Dygert said when the backup camera is installed, they'll check it out.

Code Enforcement Officer: report on file

Dog Control Officer: Councilor Kuhn spoke with Steve and he'll be updating his reports.

Senior Program Director: no report. Councilor Dygert reported that the Senior Picnic was a nice affair, and during the picnic the volunteers for the JET program were recognized and shown appreciation. 62 people attended.

Outreach Worker: no report on file.

Historian: report on file and goes in on special appointments.

Recreation Director: report on file. Two-week rec. program concluded today, and Councilor Richardson spoke with many parents regarding changes to this year's program, and it was all very positive.

Planning Board: been quiet-training coming up for members.

COMMITTEE REPORTS:

Councilor Blumer: Discussed cemetery costs.

Councilor Kuhn: Spoke briefly of fire contracts. Has several new versions of the building renovation plans and would appreciate a quick response. Supervisor suggested the following Wednesday, August 3rd.

Councilor Richardson: discussed budget issues with the justice and recreation departments, and discussed the Jordan Pool's membership and maintenance.

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Councilor Dygert: recently met with a company regarding employee benefits. Workers Comp premium has gone up 41%-looking for alternatives. Received a check from the County for \$1559.00 for reimbursement for the JETs operating expenses for the 1st quarter and will be submitting expense report for the 2nd quarter. Discussed annual training for PB and ZBA, and said she'll be attending a local law workshop on Hydrofracking in Tully on August 8.

There was discussion on meetings with SOCPA and how they need to understand the vast differences between suburban and rural communities. It's difficult to compare towns and the supervisor pointed out that we have hamlets and the quality of life often depends on the availability of water. Attorney Oudemool feels government has to invest in infrastructure, that that is their function to meet basic needs.

Supervisor Bush: Vern and I are working on the Hart Lot Water project. Discussion with Dennis re: clerk of the works and inspections.

AUDIENCE PARTICIPATION:

MONTHLY REPORTS ON FILE: Codes, Recreation, Supervisor, Town Clerk, Assessing, Historian, and Highway Superintendent.

ADJOURNMENT: On a motion by Councilor Richardson, seconded by Councilor Dygert the meeting was adjourned at 8:54 PM.

Respectfully submitted,

Debra H. Stapleton
Elbridge Town Clerk