

TOWN OF ELBRIDGE
PUBLIC HEARING AND
TOWN BOARD MEETING
JUNE 6, 2007

PUBLIC HEARING: Supervisor Bush called the Public Hearing to order at 7:03 PM and led the Pledge of Allegiance.

PRESENT: Supervisor Ken Bush, Councilor George Betts, Councilor Rita Dygert, Councilor Bruce Ralston and Councilor Vern Richardson.

OTHERS PRESENT: Dirk Oudemool, Attorney; Dennis Pelmeur, Highway Superintendent; Leo Cooper, Outreach Worker; Jack Horner, Historian; Mark Grasmeyer, Senior Program Coordinator; Jeanette Horner, Robert Herrmann, Code Enforcement Officer; Tom & Pam Lamoureux, Bryan & Kristi Daniels; Maureen Doyle, Floyd Duger, Dan Conroy, Debra Stapleton, Deputy Town Clerk and Karen Platten, Town Clerk.

PUBLIC HEARING #1: The Town Board of the Town of Elbridge held a Public Hearing on June 6, 2007 at 7:00 PM at the Town Municipal Building, Route 31, Jordan, New York to consider a local law amending Chapter 26 repealing all existing provisions relating with home occupations and replacing it with a new law which requires a special permit in all instances and will be subject to certain conditions.

Legal notice that appeared in the May 23, 2007 Post Standard 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? No one.

Supervisor: Does anyone wish to speak against? No one.

Supervisor Bush declared the Public Hearing closed at 7:06 PM.

PUBLIC HEARING #2: The Town Board of the Town of Elbridge held a Public Hearing on June 6, 2007 at 7:00 PM at the Town Municipal Building, Route 31, Jordan, New York to consider a local law amending Chapter 26 to adopt regulations relating to the adoption of non-commercial wind energy facilities, which will require a special permit subject to specific conditions.

Legal notice that appeared in the May 23, 2007 Post Standard 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? No one.

Supervisor: Does anyone wish to speak against? No one.

Supervisor Bush declared the Public Hearing closed at 7:08 PM.

REGULAR MEETING: The Town Board of the Town of Elbridge met in regular session on June 6, 2007 at 7:09 PM in the Town Municipal Building, Route 31, Jordan, New York.

PRESENT: Supervisor Ken Bush, Councilor George Betts, Councilor Rita Dygert, Councilor Bruce Ralston and Councilor Vern Richardson.

OTHERS PRESENT: Dirk Oudemool, Attorney; Dennis Pelmeur, Highway Superintendent; Leo Cooper, Outreach Worker; Jack Horner, Historian; Mark Grasmeyer, Senior Program Coordinator; Jeanette Horner, Robert Herrmann, Code Enforcement Officer; Tom & Pam Lamoureux, Bryan & Kristi Daniels; Maureen Doyle, Floyd Duger, Dan Conroy, Debra Stapleton, Deputy Town Clerk and Karen Platten, Town Clerk.

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ADOPT MINUTES: On a motion of Councilor Dygert, seconded by Councilor Richardson to dispense with the reading of the minutes of May 16, 2007 and adopt minutes as written. UC

MOTION TO PAY BILLS: Councilor Ralston seconded by Councilor Richardson made a motion that General Bills, Abstract # 5, Voucher # 260 -346 in the amount of \$ 36,946.42 were ordered paid and Highway Bills, Abstract # 5, Voucher 78H – 94H in the amount of \$ 22,412.15 were also ordered paid for a total disbursement of \$ 59,358.57.

SUPERVISOR'S REPORT: On file.

COMMUNICATIONS:

FROM:

- 1) NYS Dept. Environmental Conservation-re: Permit for Jack's Reef Bridge C-28 Plainville Road.
- 2) Unified Court System-re: explaining procedures for applying for a grant concerning the Justice Court Assistance Program.
- 3) National Incident Management System- re: workshops June 13 or 14, 2007.
- 4) Board of Assessment Review- re: Special hearing Friday, June 15, 2007 at 11:00AM.
- 5) NYS Environmental Conservation-re: availability of funds for projects to eradicate terrestrial and aquatic invasive species from the lands, waters and wetlands of NYS.
- 6) NYS Department of Agriculture and Markets-re: advance notices to potential applicants seeking state financial assistance for your farmland protection implementation projects.
- 7) NYS Board of Real Property Services-re: notice of tentative state equalization rate of 81.00 for the Town of Elbridge was established for the 2007 assessment roll on 5/24/07.
- 8) Central NY Emergency Medical Services Regional Council-re: announcement of Public Hearing for June 19, 2007 at 7:30PM at Upstate Medical University.
- 9) NYS Association of Towns-re: Planning and zoning summer schools.

REPORTS:

Assessor: Councilor Ralston had nothing to add to the assessor's report that is on file.

Highway Superintendent: Report is on file. Highway Superintendent Pelmeur noted that the proposal quotes for the Wheeler Road resurfacing are \$84,000 - \$104,000.

Spent the last 2 ½ days in Ithaca for Highway Training, Cornell Local Roads Program, had much information and a good session.

Depending on the process Suit Kote and Penn Can's proposals range \$84,000-\$86,000 and visited different job sites. Projected time schedule is to do the Wheeler road late June early July depending on availability of equipment and plan to have a decision ready by this Monday.

Code Enforcement Officer: Councilor Dygert said three reports are on file - March, April and May.

Asked the new CEO to give rental inspections a priority. He has taken the civil service exam and will be taking the training.

Bob Herrmann reported he is catching up and plans on having a productive year.

Dog Control Officer: No report.

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Outreach Worker: Leo Cooper – reported that the 3rd annual Senior Citizens Day was well attended (92) with 16 new attendees. Four workers were here from PEACE. Five of the new attendees attended the June 5 luncheon. Had a speaker on the canal trails. Bicycle riders starting in Buffalo will be coming through here on July 11. Thanked the board members for attending the luncheon on May 22.

Recreation Director: Report is on file. Softball and baseball teams are in process. Most of the teams participated in the Memorial Day parade. 24 registered for the recreation/swim program.

There are advertisements out for the Community Players.

Planning Board: Councilor Dygert reported that Tessy Plastics is working on engineering plans and landscaping. Have received the DOT approval.

Allred hopes to move into their facility in June.

Senior Program Coordinator: Older American Month is the politically correct term– was a successful day on the May 22nd. Exceeded my goal for door prizes.

Working diligently on a newsletter to come out soon and plan to produce 4 times a year.

Will mail out to about 40 –50 regulars and leave at the libraries and various places.

Maybe will be on-line.

Leo stated he has about \$500 left in the stipend from PEACE that could be used.

There will be Tai Chi for arthritis classes starting June 21 on Thursday at 11:00 AM with quite a bit of interest – 16-17 people.

Historian: Next Thursday, June 14th at 6:00 PM will be the dedication of the marker on Route 5 across from Millstone and at 6:30 a walking tour of St. Patrick’s Cemetery.

Hope all can attend.

Attended the Canal Meeting on May 31 and we should have a Town of Elbridge sign on each end of canal way. There will be about 500 bicyclists coming through on July 11th. A sign for California and Peru would be good too. Asked about signage; anything is fine with them. Bottled water with the Town of Elbridge would be great to have to pass out. Possibly the highway superintendent can find some economically priced signs. Maureen Doyle has a GPS system and could print out something for them to read with locations and will put it on the Jordanny.com web site.

OLD BUSINESS: None

NEW BUSINESS:

Discussion by the CEO stating all conditions have been met. It is for the board’s review now. Attorney Oudemool also stated he had met with the owners and it is an old, old park. Technically they have met all the requirements and good cooperation with the applicants. Maybe they can have some upgrade to the outward appearances. Councilor Ralston noted that this is the first we have seen the application although it was submitted in January 2007.

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

ADOPTED: 5 AYES BETTS RALSTON RICHARDSON DYGERT BUSH
 0 NAYS

Resolved: that the Town Board of the Town of Elbridge approve the license permit to operate dba Jack’s Reef Mobile Home Park to Kristi & Bryan Daniels April I, 2007 through March 31, 2008.

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Attorney Oudemool addressed home occupations and the town's present legislation is greatly behind. Windmill operations need to have something in place, which was recommended by the advisory Board. Commercial operations aren't addressed in this law as it would be addressed as a utility and it has a remote chance to be picked. Both parts of this law would be addressed in agricultural by special permit with the ZBA. On a motion of Councilor Dygert, seconded by Councilor Richardson the following resolution was

ADOPTED: 5 AYES BETTS RALSTON RICHARDSON DYGERT BUSH
0 NAYS

Resolved: that the Town Board of the Town of Elbridge hereby takes action for Local Law # 4 of 2007 as follows: see attached.

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

ADOPTED: 5 AYES BETTS RALSTON RICHARDSON DYGERT BUSH
0 NAYS

Resolved: that the Town Board of the Town of Elbridge authorize the Supervisor to sign the Intermunicipal Agreement Relative to the Providing of Code Enforcement Service to the Village of Elbridge effective June 1, 2007 – May 31, 2008.

COMMITTEE REPORTS:

Councilor Ralston: Documents for the roof to be reviewed by the board and would like the attorney to review also. Plumley Engineering has the documentation ready to go and will help the clerk with the bid advertising with bid openings on June 28th. Also Plumley will hold pre-bid walk through with contractors.

Have sent a letter to Senator DeFrancisco asking for grant monies.

Trash day clean-up collected 47.9 tons of trash. Many tires were brought in.

Technology committee met on May 23 – it was general discussion. Working on upgrades and don't anticipate any additional expenses.

Councilor Richardson: Met briefly with the Justices on the J Cap Grants and will meet next week Wednesday to discuss all parts. Even the bench construction is quite involved.

Have until Aug 31 to have everything ready to send in. Amount of grant depends on caseloads and/or the kind, and New York City obtains the most.

Haven't heard from the security audit yet.

Councilor Dygert: The advisory committee met again tonight and working on signage.

Will meet again Wednesday night for more discussion and then on to discussion of trailer storage.

Also attended the Canal Way meeting and feel we should form some kind of a welcoming committee and plan some activities to welcome the bicyclists. The JE Community Center could be a pit stop.

Thanked Leo and Mark for all their efforts in making the senior citizen celebration successful and it went very well.

Councilor Betts: Drafting a request to the Assemblyman's office for help on behalf of the Elbridge Rural Cemetery.

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Councilor Dygert said she had a call from Megan Blumer advising that the legislature of the senate and assembly had passed the bill exempting farm building from permits. Nothing in writing yet and Attorney Oudemool hadn't heard anything either and will try to get a copy of the text of the law.

Attorney Oudemool said he felt that the bidding notice should go out before the next meeting to allow for enough time for the bidders. Recommends to the board authorization at tonight's meeting for the advertising of bids.

Supervisor Bush:

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

ADOPTED: 5 AYES BETTS RALSTON RICHARDSON DYGERT BUSH
0 NAYS

Resolved: that the Town Board of the Town of Elbridge authorize bid requests for roof replacement on the highway portion of the municipal offices, with bid opening on June 28th at 3:00 PM at Town Municipal Offices.

MONTHLY REPORTS ON FILE: Dog Control Officer, Justice, Supervisor, Town Clerk, Water Superintendent, Recreation and Zoning Officer.

AUDIENCE PARTICIPATION:

Dan Conroy: questioned the new equalization rate. Supervisor noted the reval is in process now and will take effect on the 2008 school tax bill.

Sales have been so much higher than what they are assessed.

Conroy wondered if there would be an annual adjustment each year? Not until we are at a 100%.

Maureen Doyle of Community Center Committee: said it was wonderful to hear that the town would like to do something to welcome the bicyclists but would urge everyone to work with the businesses and organizations especially in the Village of Jordan. There is no schedule as to when or how many will come through at a time and of course weather is a big factor. She can give announcements to the people the night before.

The bottled water is a good idea. We are lacking bike racks, as there are few available.

Community Center can be a hospitality center but would ask no food so the businesses could do that part. Will help with whatever you would want me to do.

July 14th is Canal Way Trail Day with both Villages having garage sales and library boards have combined for the celebrations. Musicians will be here and many other things. The grant application that the Village Committee applied for should be decided to today. We were in the final thirteen.

Leo Cooper stated that Will Barclay would be at the Town Center on July 16 from 3 – 4 PM.

He also said that at the coffee hour in the mornings and the articles in the paper stating that the Memorial parades are maybe too much about throwing our candy and not remembering and honoring our military. Safety is an issue. It's a huge parade and has grown so much over the years. Discussion followed with the pros and cons.

Pam Lamoureux of Whiting Road: stated she was basically here to ask the board for help. We own a large piece of land and have a small run down mobile home on the property and are trying to upgrade to a larger home. We have lived here for 11 years. The

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building permit was turned down and was advised to come to the board meeting to see if you would change your mind in this one particular instance. She brought papers and pictures of the house plus samples of roofing etc. It is probably our only chance of upgrading our home. Described all the parts of the home with much detail. The tires, axles as well as the tongue will be removed and it will look like a house.

Councilor Ralston said this issue is that this is a double wide home and when this law was enacted the line was drawn on homes built on metal chassis designed to be hauled on roads versus modular homes that are built in sections and carried to the property.

West Point Homes told her that the only difference with these homes are the metal frames and are structurally the same and hopefully, we can convince the board to allow us to do this.

Councilor Richardson asked if you have already purchased this home and did West Point Homes explain to you about our mobile home law. Mrs. Lamoureux said, they said that maybe because this is on agricultural property, that possibly we can work through this. We felt confident that we should give it a shot as finally were able to financially obtain a loan.

Councilor Dygert stated we had a similar situation and it was denied.

It was asked what is a mobile home and it was noted that anything built on a metal chassis.

Further discussion continued including questions by Tom Lamoureux as to why it's not considered a home. Also wondered if he is allowed a mobile home for an employee.

Kristi Daniels asked what is allowed for people to update their home in the park such as park models and discussion continued.

ADJOURNMENT: With no further business, on a motion of Supervisor Bush, seconded by Councilor Ralston the meeting was adjourned at 8:35PM. UC

Respectfully submitted,

D. Karen Platten, Town Clerk