

TOWN OF ELBRIDGE
TOWN BOARD MEETING
AND
PUBLIC HEARING
MAY 2, 2007

PUBLIC HEARING: Supervisor Bush called the public hearing to order at 7:00 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; Jack Horner, Historian; Leo Cooper, Outreach Worker; Louis Flask, Christine Flask, Douglas Blumer, Meghan Blumer, Dan Conroy, Morgan Conroy, Marc Seigel, Robert Herrmann, Mike Blumer, Skip Jensen, Gordy Franz, Daryl Hagerman, Debra Stapleton, Deputy Town Clerk and D. Karen Platten, Town Clerk.

PUBLIC HEARING #1: The Town Board of the Town of Elbridge held a Public Hearing on May 2, 2007 at 7:00 PM at the Town Municipal Building, Route 31, Jordan, New York to consider repealing the existing Chapter 26, titled Administration Enforcement of NYS Uniform Fire Prevention and Building Code replacing with entirely new provisions as mandated by the State of New York.

Legal notice that appeared in the April 24, 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? Doug Blumer of 672 Whiting Road: Urged the board to wait on making a decision until the results from the state were addressed on a part of the NYS Uniform Fire Prevention and Building code as related to farmers.

Supervisor Bush declared the Public Hearing closed at 7:04PM.

PUBLIC HEARING #2: The Town Board of the Town of Elbridge held a public hearing on May 2, 2007 at 7:00 PM at the Town Municipal Building, Route 31, Jordan, New York to consider repealing Section 30.43, of the Municipal Code, entitled Parking Regulation, and the adoption of new parking regulations to be designated Article V of said Chapter section 30.50 et.seq. and to renumber existing Article V to Article VI and renumber these sections appropriately.

Legal notice that appeared in the April 24, 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 7:06PM.

REGULAR MEETING: The Town Board of the Town of Elbridge met in regular session on May 2, 2007 at 7:06 PM in the Town Municipal Building, Route 31, Jordan, New York.

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OTHERS PRESENT: Dirk Oudemool, Attorney; Dennis Pelmear, Highway Superintendent; Jack Horner, Historian; Leo Cooper, Outreach Worker; Louis Flask, Christine Flask, Douglas Blumer, Meghan Blumer, Dan Conroy, Morgan Conroy, Marc Seigel, Robert Herrmann, Mike Blumer, Skip Jensen, Gordy Franz, Daryl Hagerman, Debra Stapleton, Deputy Town Clerk and D. Karen Platten, Town Clerk.

ADOPT MINUTES: On a motion of Councilor Ralston, seconded by Councilor Betts to dispense with the reading of the minutes of April 4 and April 18, 2007 and adopt minutes as written. UC

Councilor Richardson seconded by Councilor Betts made a motion that General Bills, Abstract # 4, Voucher # 221 - 259 in the amount of \$ 18,132.78 were ordered paid and Highway Bills, Abstract # 4, Voucher 60H –77H in the amount of \$ 16,795.82 were also ordered paid for a total disbursement of \$34,928.60.

SUPERVISOR'S REPORT: Report is on file.

COMMUNICATIONS:

FROM:

- 1) BSA Troop 57- re: invitation to the town to tree planting ceremony in memory of Gregory Drummond on Arbor Day April 27, 2007 at 6:30 at the Festival grounds.
- 2) Hope Parker-re: the town to consider an ordinance on walking or exercising dogs that it be an adult and to clean up after the dog.
- 3) OCCRA-re: Ley Creek Transfer Station to extend hours.
- 4) Senator DeFrancisco-re: the Town of Elbridge will receive \$42,448. in 07-08 CHIPS funding.
- 5) NYS Dept of Transportation-re: ALLRED Associates Facility.
- 6) NYS Canal Corporation-re: Board has approved an extension of the 2006 pilot program waiving recreational tolls for the 2007 navigation season.
- 7) NYS DEC –re: Community Tree Care 101 in NYS DEC Cortland Office on May 24, 2007, 9:00 AM – 3:00 PM.
- 8) ARC-re: services and products that are offered.
- 9) Greater Jordan-Elbridge Chamber of Commerce-re: Canal Corporation and Parks & Trails NY are sponsoring a roundtable to promote cycling (bicyclists) along the Canal-way Trail at our community Center on May 31, 2007
- 10) Seymour Loft Park Committee: invitation to Board for opening day ceremonies on May 5th at 9:00AM
- 11) Town of Lysander: notice of public information meeting re: the Seneca River Trail
- 12) Office of Economic Development: Onondaga County Empire Zone Boundary Revision – Consenting Resolution re: Tessy Medical Products LLC
- 13) Town of Skaneateles: introductory Local Law of 2007-j known as “The Zoning Map Amendment for Open Pit Mining Overlay District” – proposed mining district boundary change

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- 14) CNY Emergency Medical Services: Public Hearing 5/15/07 – 7:30PM to consider the expansion of WAVES operating territory to include the Town of Camillus.

Supervisor Bush noted the letter from Seymour Lofft Park on the opening this Saturday inviting everyone.

Nancy Hourigan entered at 7:10 PM.

REPORTS:

Assessor: Councilor Ralston had a copy of the assessor's report and noted he had nothing to add. Thank Paige Boratko for all the support in the assessor's office while Penny was out. She did a nice job.

Highway Superintendent: Earth Day was a success and good to have Friday as a collection Day too.

The mulch outside is all that will be available this year.

Code Enforcement Officer: No report from the CEO and he will be unavailable on May 3 and 4.

Dog Control Officer: No report. Councilor Richardson said tickets are still being issued for the unlicensed dogs.

Outreach Worker: Leo Cooper reported that the 1st Tuesday luncheon yesterday was well attended. School Superintendent Marilyn Dominick gave a report on the school budget. On April 24th I attended the Jordan Community Council meeting asking for liability insurance for FISH and still waiting for an answer. They used to do it but stopped in 1993 and started donating \$500 to Cayuga County for the scat van service but it can only be used if going to Cayuga County, can't be used for Elbridge doctors. So it is a problem.

Recreation Director: Report is on file. Would like to have any board members at the opening ceremony Saturday.

199 students registered for softball and baseball.

Planning Board Chairman: Councilor Dygert reported nothing new but still continuing with Tessy, Allred and Dollar General.

Introduced Mark Grasmeyer, Senior Coordinator Director to everyone. He stated this is senior citizen month. Working on a luncheon for May 22 to celebrate. PEACE will be helping with this. There is a defensive driving course being given May 9 and 10th and the class has no age restrictions. The cost is \$10 and need to sign up ahead for reservation. The Community Center is being filled up quickly on reservations for the summer.

I am available at the center from 9 –1 Monday through Friday for questions or reservations.

PEACE luncheon is Friday from 1 – 3PM.

Will have an informational meeting on May 11 for Tai Chi classes for arthritis. It's a ten-week program at \$3.50 per person and need at least 10 people. This is new for here but most senior citizen places in Onondaga County offer these classes.

OLD BUSINESS:

NEW BUSINESS:

Much discussion.

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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 as follows:

1. **Repeal** Section 30.2 (31) and replace with new definition of Parking Space which shall read as follows:

Parking Space – A parking space is a delineated part of a site upon which a vehicle is intended to be parked. Except for single-family dwellings, a parking space shall be located such that a vehicle may proceed to and from it without requiring the movement of any other vehicle. A parking space shall be no less than 10feet x 20 feet and shall be constructed either parallel to or at 90° to the driving aisle which services it. No parking space shall be used for any use that interferes with its availability for the parking need it is required to serve.

2. **Amend** Section 30.2 by creating a new definition to be numbered 12(a), which shall read as follows:

Driving Aisle – A driving aisle is that part of a non-single –family dwelling site which is intended to be utilized for vehicular access and circulation and shall be 24 feet in width.

3. **Repeal** Section 30.43.

4. **Amend** Article V, Sections Section30.50 through Section 30.55 by renumbering the Article VI and renumbering the Sections 30.61 et. Sq.

5. **Adopt** new Article V Section 30.50 through 30.55.

6. **Amend** Article VI, Section 30.61 by renumbering the Article to Article IX and renumbering the Section 30.90.

7. **Amend** Article VII by amending it to Article X.

8. **Repeal** existing Articles VIII and IX.

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: WHEREAS: Bernard Klaben has applied to the Town of Elbridge for a junkyard license for 2007/2008and

WHEREAS: Codes Enforcement Officer, Jeff Bartoszewski, has determined that Bernard Klaben’s junkyard is in compliance with the Town Of Elbridge Municipal Code and recommends that a junkyard license be issued to Bernard Klaben for premises at 5950 Sandbank Road, now, therefore be it

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Resolved: that Bernard Klaben be issued a junkyard license for 2007/2008 commencing this date and effective through March 31, 2008 for property at 5950 Sandbank Road, Jordan, New York.

Councilor Dygert having discussed with the advisory committee, this was offered. 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 a public hearing will be held at the Town of Elbridge Municipal Building, Route 31 Jordan, New York on June 6, 2007 at 7:00 PM to consider Home Occupation with special permit. A copy is on file for review in the Town Clerk Office and will be advertised at least 5 days prior to the public hearing.

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

ADOPTED: 5 AYES BETTS RALSTON RICHARDSON DYGERT BUSH
0 NAYS

Resolved: that a second public hearing will be held at the Town of Elbridge Municipal Building, Route 31 Jordan, New York on June 6, 2007 at 7:00 PM to consider non commercial wind energy with special permit.

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 requests a study by the NYS Department of Transportation for the placement of a traffic control device at the intersection of Route 5 East and Sandbank Road.

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 gives a temporary appointment to Robert G. Herrmann Jr. for the Code Enforcement Officer position effective May 21, 2007 at an initial salary of \$28,000 and be it further

Resolved: that Mr. Herrmann be given a permanent appointment at an adjusted salary once all conditions and civil service requirements are met.

Bruce and myself did the interviewing and were pleased with the quality of responses plus it was encouraging with the number of applicants. Rita introduced the new code officer, Robert Herrmann who lives on Chatfield Road.

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

ADOPTED: 5 AYES BETTS RALSTON RICHARDSON DYGERT BUSH
0 NAYS

WHEREAS: New York State has created the Economic Development Zone Program, now known as the Empire Zone Program, to encourage industrial and commercial development in select municipalities across the State, and

WHEREAS: the Town of Elbridge, as an eligible municipality in conjunction with the County of Onondaga, received designation of an Economic Development Zone and was re-designated as distinct and separate contiguous areas pursuant to Section 957(d) of the general municipal law, and

WHEREAS: New York State has amended the Zones program to increase benefits and allow additional areas to be deemed as Regionally Significant Projects, and

WHEREAS: the County of Onondaga and the Town of Elbridge intend to amend the County of Onondaga Empire Zone boundaries to encourage industrial and commercial development and to allow for the designation of lands in the Town of Elbridge for a Regionally Significant Project, and

WHEREAS: Tessy Medical Products, LLC, located at 488 Route 5 West, Elbridge, NY meets the criteria of 957(d) of the general municipal law as a regionally significant project by creating 80 new manufacturing jobs for inclusion within the County of

Onondaga Empire Zone in an area outside the distinct and separate contiguous areas, and
WHEREAS: the Town of Elbridge wishes to support and concur with the Empire Zone designation of Tax Parcel ID: 040.-04-23.0, 040.-04-25.1, 040.-04-26.1 and 040.-04-26.2, or portions thereof, as a Regionally Significant Project on behalf of Tessy Medical Products, LLC and

NOW, THEREFORE BE IT RESOLVED, that the Town of Elbridge Town Board, in its capacity as governing body of the Town of Elbridge, does hereby support and concur with the County of Onondaga Empire Zone to include the properties more particularly described below as follows:

Tax Parcel ID: 040.-04-23.0, 040.-04-25.1, 040.-04-26.1 and 040.-04-26.2

Supervisor Bush is pleased with Empire Zone and Tessy Plastics in staying in the area. Gave thanks to Nick Pirro and others that have helped in this rural area for economic developing and industrial growth. A potential of 80 new jobs will be available.

On a motion by Councilor Richardson seconded by Councilor Dygert the following resolution was adopted:

ADOPTED: 5 AYES BETTS RALSTON RICHARDSON DYGERT BUSH
0 NAYS

Resolved: that the Town Board's regularly scheduled meeting for July 4, 2007 will be changed to July 11th and the July 18th meeting is canceled.

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COMMITTEE REPORTS:

Councilor Ralston: Gave the board information on the roof analysis from Plumley Engineering and recommendations from architect, Dan Leary. Bituminous roofing was his suggestion. Discussed the options. Do a cost analysis of the 2 types.

(Nancy Hourigan left at 7:50 PM)

The dumpster will be here on Thursday for trash day.

Technology meeting was this past Thursday. Have had requests from Duane and Lou for patches and printer access for the computers.

Homeland Security does have many grants, just need to find out which would be applicable.

Councilor Betts: Public safety committee is in its infancy. Should be able to meet in June. Fire departments are doing FEMA grants.

Councilor Richardson: Court night this past Monday was late (9:15) due to the previous week's cancellation.

Results of the security audits should be here soon.

Councilor Dygert: Sent letters to all the Code Enforcement Officer applicants, thanking them.

Went to the senior luncheon.

Also met with the advisory board.

Supervisor Bush: Noted that the lawns have been mowed. Rich Mastin is learning – and the town will provide the safety equipment.

Earth Day clean up made the community look great.

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

AUDIENCE PARTICIPATION:

Supervisor Bush said to Doug Blumer that the state make a the new regulations but that the state is redoing. It was an oversight as it included agricultural land.

Skip Jensen from Farm Bureau: the state needs to clarify regulations for agricultural.

Asked the board to hold off on a decision until the state makes an agreeable solution.

There is no clear guidance for farmers or fire code. Much discussion followed.

Attorney Oudemool recommended that the Board modify Section 26.31 by adding a new exclusion to be numbered 13 which would read as follows: "The construction of non-residential farm buildings including barns, sheds and poultry houses and other buildings directly used solely for agricultural purposes." This is the language in the present Code. By making this modification we will be implementing the new provisions except for the farmers issue and meanwhile we can wait and see what the legislature does regarding that issue.

Doug Blumer said he felt this was a reasonable request.

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On a motion by Councilor Dygert seconded by Councilor Richardson the following resolution was adopted:

ADOPTED: 5 AYES BETTS RALSTON RICHARDSON DYGERT BUSH
0 NAYS

Resolved: that the Town Board of the Town of Elbridge are repealing Chapter 26 with the new Chapter adopted as amended with item #13 section 26.31A being added.

Attorney Oudemool also discussed the building code permit fee regarding the building permit fee, which was redrafted in Chapter 26.34 page 10.

The other part of this is fences and that is being taken out and the town should be drafting up a fence code. Could delay an effective date for this local law.

On a motion by Councilor Dygert seconded by Councilor Ralston the following resolution was adopted:

ADOPTED: 5 AYES BETTS RALSTON RICHARDSON DYGERT BUSH
0 NAYS

Resolved: that to call for a public hearing on June 6, 2007 at 7:00 PM to consider a fencing local law.

(Misstatement by attorney, the town does have a fencing law - Regarding the previous resolution)

Dan Conroy returned at 8:30.

Supervisor Bush brought up the Town of Skaneateles public hearing on May 5, 2007 on open pit mining overlay district. Noting there isn't enough time to look into this and does have an effect on the Town of Elbridge and would like to protect our interest.

Jack Horner asked if the board to make a motion to request that the Town Board of the Town of Skaneateles to wait on making a decision.

Attorney will draft a letter to send to Skaneateles.

Historian, Jack Horner thanked the board for allowing him to attend the conference in Utica. Jan Richardson went to the county historian meeting.

There is no state historian for over 10 years. Cayuga and Wayne County are very active. Onondaga County is very loose knit.

Historical marker is going to be placed in Elbridge across from Millstone at 6:00 and then coming to tour St. Patrick's Cemetery in Jordan on June 7, 2007

Skip Jensen of the Farm Bureau thanked the board for leaving that part out on the Chapter 26.

Daryl Hagerman said he was just visiting from the Elbridge Village Board.

Marc Seigel just listening to the board.

ADJOURNMENT: With no further business, on a motion of Councilor Richardson seconded by Councilor Betts the meeting was adjourned at 8:40PM. UC

Respectfully submitted,

D. Karen Platten, Town Clerk

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