

TOWN OF ELBRIDGE TOWN BOARD  
PUBLIC HEARING & REGULAR MEETING  
OCTOBER 3, 2007

**CALL TO ORDER:** Supervisor Bush called the Public Hearing to order at 7:03PM and Councilor Betts led the Pledge of Allegiance.

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

**ABSENT:** D. Karen Platten, Town Clerk

**OTHERS PRESENT:** Dirk Oudemool, Attorney; Robert Herrmann, Code Enforcement Officer; Michael Denton, Advocate, Leo Cooper, Outreach Worker; Mark Grasmeyer, Senior Program Coordinator, Jack Horner, Historian; Floyd Godfrey, Dan Conroy, Robert K. Hill, Carl Tompkins, Doug Blumer, Meghan Blumer, Meghan Schader, Roland Porter, John Meixner, and Debra Stapleton, Deputy Town Clerk

**PUBLIC HEARING:** Public Hearing to repeal Section 30.46 and to adopt a new Article VIII titled fences for chapter 30 to include 30.80 et seq.

Legal notice that appeared in the September 26, 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? Floyd Godfrey spoke in favor.

Supervisor: Does anyone wish to speak against? Doug Blumer spoke for the Ag District with a concern about the 6' height restriction. Bob Somers, from NYS Ag and Markets sent an email to Ms. Schader, after his review of the fence ordinance that it should include deer fence exclusion for farms. Councilor Dygert said there are expedited procedures the ZBA can take. Farmers can go to the ZBA in advance and take that avenue. Councilor Dygert was inclined to move forward and amend if need be.

Supervisor Bush declared the Public Hearing closed at 7:16 PM.

**REGULAR MEETING:**

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

**ABSENT:** D. Karen Platten, Town Clerk

**OTHERS PRESENT:** Dirk Oudemool, Attorney; Robert Herrmann, Code Enforcement Officer; Michael Denton, Advocate, Leo Cooper, Outreach Worker; Mark Grasmeyer, Senior Program Coordinator, Jack Horner, Historian; Floyd Godfrey, Dan Conroy, Robert K. Hill, Carl Tompkins, Doug Blumer, Megan Blumer, Meghan Schader, Roland Porter, John Meixner, and Debra Stapleton, Deputy Town Clerk

**ADOPT MINUTES:** On a Motion of Councilor Betts, seconded by Councilor Dygert to dispense with the reading of the minutes of September 19, 2007 and adopt as written. UC

**MOTION TO PAY BILLS & BUDGET MODIFICATIONS:** Councilor Ralston seconded by Councilor Richardson, made a motion that General Bills, Abstract # 9, Voucher # 575 -624 in the amount of \$31655.14 were ordered paid and Highway Bills, Abstract # 9, Voucher # 143H – 157H in the amount of \$39,956.50 were also ordered paid for a total disbursement of \$ 71,607.64.

And authorized the Supervisor to transfer the following monies into the designated accounts:

FROM: A1990.0 Contingency	\$3500.00
TO: A7310.44 Seymour Lofft Pk contractual	
FROM: A1990.0 Contingency	\$3000.00
TO: A7310.43 Rec. Program – contractual	

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FROM: DB9010.8 Retirement (Gen. Repairs H'way \$3000.00  
TO: DB9040.8 Work Comp.

**SUPERVISOR'S MONTHLY REPORT: On File  
COMMUNICATIONS:**

**FROM:**

- 1) Williamson Law Book –re: ten percent increase on software supports contracts effective January 1, 2008.
- 2) The Holden Family on Route 321 – re: starting a business on their property.
- 3) Plumley Engineering – re: Fueling area and floor drain project.
- 4) US Department of State – re: 17 million passports have been issued so far this year. Routine passports are now issued in 6 –8 weeks, expedite in about 3 weeks.
- 5) Assemblyman Will Barclay-re: Shared Municipal Incentive Grant Program
- 6) Richard E. Mastin – resignation from part time maintenance worker position

**GUEST:** Robert Hill – re: Ag Laws

Mr. Hill would like the Board to recognize the Agricultural Committee. He believes the Town Codes and Laws are outdated, his experiences have been poor, and the problems just continue. The site of Smith's MHP hasn't been mowed and it's a disgrace to the neighborhood.

**REPORTS:**

Assessor: Report on file.

Highway Superintendent: Report on file. Attorney Oudemool wanted to inquire about the filming of a movie in the town. Supervisor Bush said the Town of Elbridge and the Town of Sennett have been contacted. The Highway Superintendent has concerns about road safety and equipment. Some scenes will be filmed at dusk. Mr. Hill said he's been contacted to leave certain fields of corn up and that filming would begin on the 16<sup>th</sup>. Supervisor Bush said they've contacted different people- there's a crew from California and a Professor from Syracuse University.

Code Enforcement Officer: Councilor Dygert said 7 Building Permits were issued.

Dog Control Officer: No report available.

Historian: Jack Horner attended a regional conference at OHS. Toured a WWII Ship and there were 23 people on the bus. Mary Ann Baner sent a nice letter, as Larry Baner originally organized the event.

Outreach Worker: Leo Cooper stated it's been a busy couple of weeks. He and Mark Grasmeyer had a booth at the Jordan Fall Festival and it worked out well. Good attendance for Flu Clinic. Over 100 people came and 60 stayed for the luncheon.

Mark said there were 9 organizations represented, 4 of those sent people out. Blood pressure and Alzheimer's information was available.

Senior Program Coordinator: There is a defensive driving class coming up on the 17<sup>th</sup> and 18<sup>th</sup>. 2 days-4 hours, one in the spring, one in fall. Classes are limited to 30-there are 15 signed up now. A senior donated wooden cut out emblems of the Armed services and they would like them to be on display at the Community Center. There is one for the Air Force, Army, Navy and Marines. Also, computer classes started today. Exercise classes start December 10<sup>th</sup>. -Twice a week. Mark is looking into Bridge groups and walking groups. Rental of the community Center is picking up. There was just an Eagle Scout Ceremony for Adam Simmons. Councilor Dygert thanked Leo and Mark for all they do.

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Planning Board: Nothing to report. Family Dollar and Dollar General moving along with maybe end of month opening.

Recreation Director: Councilor Richardson said Viv Wilson's report on file. Soccer camp at the Ultimate Goal went well. First Aid kits are now available. Recreation Board met last week- there were problems with Pool registrations-need more help from pool people. Councilor Richardson attended Pool meeting –it's a lot to maintain and operate. As to accounting for "Into The Woods", there were a lot of upfront costs. Gina Clifford will give full financial report.

Councilor Richardson said court clerk, Linda Faulkner is out for 6 – 8 weeks due to surgery. The Judges are going to hire someone temporarily to fill in. Working with the Unified Court System to find someone. Marie Bush is doing well but it is a lot of responsibility. Judge Mitchell would like to give a presentation of the new court video system.

**OLD BUSINESS:**

**NEW BUSINESS:** Much discussion involving the fence law and involving people in the farming community took place. Councilor Richardson wondered if it was possible to exclude farms. Councilor Betts wants to see a fence ordinance completed tonight. Councilor Ralston agreed with Councilor Dygert that there wasn't an immediate need to amend the law. Councilor Betts assured the farm committee members that they were not looking to supersede Ag laws. There was discussion on seasonal fences/snow fences. Meg Schader suggested the Board listen to Bob Somers regarding a Deer exclusion fence because she respects him. Discussion continued.

On a motion of Councilor Richardson, 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 agree to reimburse the Jordan Elbridge School District \$1,478.00 for the School/Home/Community Worker and \$1,169. for the Recreation Program and then submit a request for up to that amount in State Aid to the New York State Division for Youth, as outlined by the Youth Service Project Application.

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 set November 7, 2007 at 7:00 PM to hold a preliminary Budget Hearing.

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 hereby adopts Article VIII titled fences for chapter 30 to include 30.80 et seq.

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On a motion of Councilor Ralston, seconded by Councilor Dygert, 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 acknowledges, with regret, the resignation of Richard E. Mastin part time maintenance worker for the Town of Elbridge.

On a motion of Councilor Richardson, 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 hereby authorizes the transfer of \$30,398.99 from the Highway Part Town Tax Stabilization reserve fund to Highway Part Town general fund.

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

ADOPTED: 5 AYES BETTS RALSTON RICHARDSON DYGERT BUSH  
0 NAYS

**Resolved:** that the failure of Abscope Environmental Inc. to obtain a copy of the contract documents from the Town Clerk and complete the bid sheet contained therein is determined to be an immaterial deviation from the specifications and hereby said irregularity is waived.

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

ADOPTED: 5 AYES BETTS RALSTON RICHARDSON DYGERT BUSH  
0 NAYS

**Resolved:** that Abscope Environmental Inc. is recognized as the lowest responsible bidder for the Town of Elbridge Highway Garage Fueling Area Containment and Floor Drain Project and it's bid of \$53,600 subject to the execution of a contract to be approved by the Town Attorney, is hereby accepted.

On a motion of Councilor Ralston, seconded by Councilor Dygert, 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 appropriates \$3500 to the Village of Elbridge for Seymour Lofft Park Press box.

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

ADOPTED: 5 AYES BETTS RALSTON RICHARDSON DYGERT BUSH  
0 NAYS

**Resolved:** that the Town of Elbridge grants to Global Signal Acquisitions, LLC. a 50 year easement for the Sprint Cellular Tower Site at the Elbridge Landfill as portrayed on

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a survey dated June 29, 2007 prepared by Lehr Land Surveyors together with an access easement as also portrayed thereon for the sum of \$325,000 less any prepaid adjusted rents, and authorize the Supervisor to sign said easement together with any other documents required to consummate this transaction.

**COMMITTEE REPORTS:**

Councilor Betts: Was involved in a Public Safety meeting with representation from the Jordan Fire Dept., Elbridge Fire Dept. and the school, aligning NIMS plan in place with the county and updating contacts.

Was contacted by an Elbridge East MHP for possible water service. Something to start considering. Would like an executive session with legal council.

Councilor Ralston: The Roof Project is complete with Firestone backing warranty.

Expects the Oil Separator Project completed by mid November.

Reviewed with Dennis and crew about regradeing the north side of parking lot with new concrete pad and stoop out front.

In regard to NIMS and public safety, is there a large gathering area, a plan in place?

Councilor Richardson: Gave report earlier.

Councilor Dygert: Met with the Advisory Committee regarding Chapter 30 and up to date version is now available. Attorney Oudemool said this would replace what we currently have with codes from 2005, it was difficult to read. Three of the issues addressed are Temporary Storage Units, property line adjustments, and Planned Industrial Parks. Still working on the Zoning map with discussion by Attorney Oudemool and on the Code Book.

Councilor Dygert was made a member of OCPFB.

Supervisor Bush: Supervisor Bush stated someone purchased the Smith Mobile Home Park property at auction.

Would like a resolution accepting the military emblems donated to the community center and a letter of thanks to Vern Parker. Also, there was a recent article in The Advocate regarding the Propulsion Design firm and with Allred getting a \$150,000 grant.

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:** The Town Board of the Town of Elbridge accepts the donated wooden cut out Military Emblems for display at the JE Community Center and a letter of appreciation is to be sent to Vern Parker of the Jordan American Legion.

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

**AUDIENCE PARTICIPATION:** Mr. Hill of Fikes Road addressed a comment to Councilor Betts in regard to the water request for the east end of Elbridge and that he tried 50 years ago to get water – it's time to look into the east end of town. Mr. Godfrey commented that on Sunview Drive most residents are opposed. There are 23 homes. He has lived there 42 years with a well. Originally, mobile home parks didn't want water.

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Carl Tompkins, of 6454 Laird Rd, Memphis, spoke about his neighbor's motocross track and the noise. Supervisor asked what happened after last meeting, and Mr. Tompkins said it stopped then started up again last Saturday with trucks pulling in with bikes on the back and 5 hours of continuous noise. Attorney Oudemool was unaware the owners of the track had come before the Town Court and would look into any ruling that may have taken place.

Meg Schader, of Brutus Road, Jordan, invited the Board to come and hear Bobby Harrison from the Cornell Cooperative Extension, speak on "Rural Landscapes", on October 25<sup>th</sup>, at the Community Center, hosted by Town Agricultural Advisory Committee.

Roland Porter, of 6404 Laird Road, Jordan, asked what was going on with the Elbridge Gun Club issue and thought it was moving slow. He thought the Town should hire their own expert, but the advice is to see what the Gun Club's expert has to report and they'll go from there. Mr. Porter asked what could be done to mitigate the noise level, and the direction of the shooting. Councilor Betts said we have a draft of a noise ordinance, and it's another tool at hand. What we have is a copy of Camillus' noise ordinance, according to Attorney Oudemool for our review. Then Mr. Hill spoke up about the amount of noise farmers will soon be making while drying corn and discussion followed about how much noise should and could be allowed.

**ADJOURNMENT:** With no further business, on a motion of Supervisor Bush the meeting was adjourned at 9:00 PM. UC

Respectfully submitted,

Debra Stapleton  
Deputy Town Clerk