

TOWN OF ELBRIDGE  
TOWN BOARD MEETING  
FEBRUARY 20, 2008

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

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

**OTHERS PRESENT:** Dirk Oudemool, Attorney; Bob Herrmann, CEO; Michael Hosey, Eagle Newspapers; Floyd Godfrey, Douglas Blumer, John Ryan, James Ryan, Doug Phillips, Brandy Makepeace, Tyler Phillips, Viola Westcott, Joe Lazore, Carl Getence(?), Carl & Avis Tompkins, Ronald & Donna Metz, Joseph & Tracie Rothenburg, John Simmons, Jacob Simmons, Joshua Simmons (?), Eric Tamblin, Shelly Kent, Debra Stapleton, Deputy Clerk and Karen Platten, Town Clerk.

**PUBLIC HEARING:** The Town Board of the Town of Elbridge held a Public Hearing on February 20, 2008 at 7:00 PM at the Town Municipal Building, Route 31, Jordan, New York for the purpose of considering any 2008 Community Development Proposals. Legal notice that appeared in the February 13, 2008 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 present any proposals? No one.

Supervisor: Does anyone wish to speak in favor of any proposals? No one.

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

Supervisor Bush declared the Public Hearing closed at 7:02PM.

**REGULAR MEETING:** The Town Board of the Town of Elbridge met in regular session on February 20, 2008 at 7:02 PM in the Town Municipal Building, Route 31, Jordan, New York.

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

**OTHERS PRESENT:** Dirk Oudemool, Attorney; Bob Herrmann, CEO; Michael Hosey, Eagle Newspapers; Floyd Godfrey, Douglas Blumer, John Ryan, James Ryan, Doug Phillips, Brandy Makepeace, Tyler Phillips, Viola Westcott, Joe Lazore, Carl Getence(?), Carl & Avis Tompkins, Ronald & Donna Metz, Joseph & Tracie Rothenburg, John Simmons, Jacob Simmons, Joshua Simmons (?), Eric Tamblin, Shelly Kent, Debra Stapleton, Deputy Clerk and Karen Platten, Town Clerk

**ADOPT MINUTES:** On a motion of Councilor Betts, seconded by Councilor Ralston to dispense with the reading of the minutes of January 16, 2008.

**COMMUNICATIONS:**

**FROM:**

- 1) NYS Department of Transportation-re: request for lower speed limit on Whiting Road.
- 2) Jordan Historical Society-re: Letter showing how money was used in 2007.
- 3) Jordan Volunteer Fire Company-re: Meeting on 2/7/07 Radio Tower Meeting.
- 4) Onondaga County Planning Board 2008 Calendar.
- 5) Passport Services-re: Effective February 1, 2008 new information on passport applications.
- 6) NYS Canals-re: Canal Clean Sweep on April 19<sup>th</sup> and 20<sup>th</sup> in recognition of Earth Day 2008.

**GUESTS:** Carl and Avis Tompkins of Laird Road –Avis spoke first and discussed the meeting with the Town Attorney and Zoning Officer regarding the race track that Rothenburgs are running. We were told that we would have to give it a try. I don't want

TOWN OF ELBRIDGE  
TOWN BOARD MEETING  
FEBRUARY 20, 2008

to be in my house and have to hear it! Mr. Rothenburg says it's private property and he can do as he wants, but mine also is private property and I am entitled to my privacy and be able to sit in my home without hearing continual noise from the motocross track racing. Something has to be done!

Carl Tompkins stated that something has to be done about a noise ordinance. He has a neighbor that is a farmer and respects what they are doing. Much discussion continued. Attorney Oudemool explained the many things that were talked about at that meeting. But it seemed no matter what was proposed it was not acceptable to the Tompkins. The problem is that there is nothing on the Town's local law books that I can say is improper. Right now this is not a case we could win in court. Originally it was commercial and is improper according to zoning and that was addressed. This is now a neighborhood activity.

The Rothenburg's agree to limit it. The CEO and myself are willing to meet again in the spring when this starts to see if some agreement can be made with both parties.

The Tompkins said that they want them to quiet it down so we don't hear it inside our house.

More discussion continued. Trying to come up with something agreeable to all.

**OLD BUSINESS:** Councilor Dygert said the Advisory committee did look at this again. A person also recommended it from the Ag Committee. Discussed the changes and meaning of "unsightly". Supervisor Bush thanked Councilor Dygert and the two committees for reviewing and producing this document.

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 adopt Chapter 76 Brush, Grass, Rubbish and Weeds as Local Law #2 of 2008.

**NEW BUSINESS:**

On a motion of Councilor Richardson 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 re-appoints Nancy Hourigan as member to the Board of Assessment Review with this term expiring September 30, 2012.

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 authorizes the Supervisor to sign the P.E.A.C.E., Inc. for Project R.O.S.E Contract for January 1, 2008 to December 31, 2008 for \$10,000.

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

ADOPTED: 5 AYES BETTS RALSTON RICHARDSON DYGERT BUSH

TOWN OF ELBRIDGE  
TOWN BOARD MEETING  
FEBRUARY 20, 2008

0 NAYS

**Resolved:** that the Town Board of the Town of Elbridge hire Donna Fadden's Cleaning Services to provide minor maintenance to town buildings in addition to the janitorial services previously approved by board resolution on December 5, 2007, which is subject to drafting of an appropriate agreement by the Town Attorney and execution by Donna's Cleaning Service and Supervisor.

**COMMITTEE REPORTS:**

Councilor Betts: Supervisor and myself met with Miller Engineering on Sunview Drive and made a few revisions. Will set a date to present this to the residents. Floyd Duger said they could meet any night except Friday night.

Also attended a meeting with the Elbridge and Skaneateles Fire Departments on the new Emergency System's tower to be constructed in the Town of Elbridge with several locations being considered. Some concerns raised on this proposed system. It's a more unified communication system as the system now is quite fragmented.

May in time have a statewide communication system? There were many questions. It would be good if the county and state could agree.

The radios for the Jordan and Elbridge Fire Departments will have to be replaced--\$3500/radio. The issue is this mandate on radios and location. Updating the response system for the town involves many things such as pipelines, railroads etc. that run through our town. Some sensitive information could get in the wrong hands.

Vern and myself just returned this afternoon from the NYS Association of Towns meeting in NYC. Consolidating tax collection and assessing had much discussion.

Also attended sessions on abandoned cemeteries.

Much information.

Councilor Ralston: Said he has produced more reports from the abstracts. He has records for recreation, highway, and building & grounds and anything you would like to see and can create a report.

Councilor Richardson: Met with Seymour Lofft Park committee. Opening day on Saturday, May 3 at 9:00 AM. Will be having a ribbon cutting ceremony for the Press Box.

Basketball camp went very well and tomorrow is the last day.

Training in NYC was very informative and lots of handouts.

Councilor Dygert: Has arranged for an ad to be in the Shopping Guide to disclose the information for property sold in or near an Ag District.

Attended by school bus a vintage fest with the seniors at Pensabene's that was very entertaining and included a light lunch.

Wendy and myself met with an insurance broker. They do business with other towns – no fee involved, and are paid by the insurance company.

Discussed the insurance savings that was done last time and appreciate that investigation.

Supervisor Bush: Noted that it was the auditor that brought this up.

**AUDIENCE PARTICIPATION:**

Viola Westcott -1383 Peru Rd. – Here in support for Tracie and Joe Rothenburg. I live nearby and don't hear the noise. The motocross racing is something for the children to do and keeps them out of trouble.

Doug Phillips -1383 Peru Rd. – If you put in a noise ordinance. The lawn mower, farm tractor and motorcycle have higher decibel noise than the motocross bikes. It must be lower in sound if you are 300 feet away when it is heard at the neighbors.

TOWN OF ELBRIDGE  
TOWN BOARD MEETING  
FEBRUARY 20, 2008

Ron Metz – 1285 Peru Rd. – Regarding this noise ordinance that is being proposed. Are there a times parameters involved?

Attorney Oudemool said there are time changes in the later hours of night.

Mr. Metz - We put that track in so kids wouldn't have to ride in the road.

Tracie Rothenburg –1632 Laird Road – In reference to Mrs. Tompkins stating about a truck at our house, these are friends; I didn't know there was a law that could determine how many friends and family you could have at your home at one time.

Joe Rothenburg-1632 Laird Road – We put this in to keep the kids safe, keep them off the train tracks, the thruway and out of the road. We discourage the kids from riding down the road. Everyone else that lives around us loves it, only the Tompkins complains. I've tried to make them as quiet as possible. Bikes do generate noise. In the summer there is 84% sunlight and we're asking for only 5% of that time.

Councilor Dygert asked if there were other tracks nearby. Joe said Frozen Ocean outside Auburn is the closest but that is sanction racing and different than what we are doing. We have the space and a safe area for the kids to ride. Understands they will hear noise but we are 50' from the track and don't have to have our windows closed.

Mrs. Tompkins said he doesn't sit in our home so he doesn't know what it is like.

Discussion continued as to possibly having a muffler system put on them and the number of bikes riding at a time, etc. Maybe make a buffer.

Joe Rothenburg – wants to make the neighbors happy and it makes me lose sleep. There is nothing there for kids to do. Just want the neighborhood to get along. Don't want them to be miserable.

Councilor Betts - thanked everyone for coming.

Doug Blumer – 672 Whiting Road – Just want to say that a couple years ago there was a similar problem with mini bikes but they rode on farm fields destroying crops. So this I agree with as it is a controlled area and not on other people's property.

Joe Lazore 1383 Peru Rd – Agree with Joe and it helps out the kids, keep them off the road, safe and in a controlled environment.

Dan Leary – River Rock Drive - Maybe should check with an acoustic industrial consultant for suggestions to abate.

Joe Rothenburg said the possibility of another track from a neighbor-- it won't be done.

**ADJOURNMENT:** On a motion of Councilor Dygert, seconded by Councilor Richardson the Supervisor declared the meeting adjourned at 8:15 P.M.

Respectfully submitted

D. Karen Platten  
Town Clerk