

TOWN OF ELBRIDGE  
TOWN BOARD PUBLIC HEARINGS & MEETING  
NOVEMBER 17th, 2010

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

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

**OTHERS PRESENT:** Dennis Pelmeur, Highway Superintendent; Dave and Todd Rinaldo, Dan Conroy, David Kochman, Beth Miccio, Tom McGuire, Jim Connor, John Meixner, Leo Cooper, Jack Horner, Danielle Karlik, Deputy Town Clerk, and Debra Stapleton, Town Clerk. Ned Campbell, Eagle Observer entered at 7:02 PM and Dirk Oudemool, Town Attorney entered at 7:12 PM.

**PUBLIC HEARING #1**

On November 3<sup>rd</sup>, 2010, the Town Board of the Town of Elbridge set November 17<sup>th</sup>, 2010 at 7:00 PM to hold a PUBLIC HEARING the purpose of which is to amend Chapter 54 to implement the Town's issuance of Dog Licenses. Legal notice that appeared in the November 10th, 2010 Eagle Observer was available and was posted at the Town Clerk's Office, Jordan and Elbridge Post Offices, Elbridge M&T Bank and Jordan Lyons Bank.

Councilor Kuhn read the proposed Local Law regarding Dog Licensing and discussed fees and multiple year licensing.

Supervisor Bush: Does anyone wish to speak in favor of this amendment? Tom McGuire, of Towpath East, is in support of multiple year licensing.

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

Supervisor Bush declared the hearing closed at 7:18 PM.

**PUBLIC HEARING #2**

ON November 3<sup>rd</sup>, 2010, the Town Board of the Town of Elbridge set November 17<sup>th</sup>, 2010 at 7:05 PM to hold a PUBLIC HEARING, the purpose of which is to amend Chapter 30.48 to permanently prohibit hydrofracknig in the Town of Elbridge. Legal notice that appeared in the November 10th, 2010 Eagle Observer was available and was posted at the Town Clerk's Office, Jordan and Elbridge Post Offices, Elbridge M&T Bank and Jordan Lyons Bank.

Councilor Dygert explained that the current moratorium against hydrofracking is about to expire and rather than put a sunset on the prohibition, Attorney Oudemool said it can always be repealed.

Supervisor Bush: Does anyone wish to speak in favor this amendment? No one.

Supervisor Bush: Does anyone wish to speak against the amendment? Dan Conroy, of Sandbank Road, doesn't like that it's "permanent". He feels the moratorium should be extended.

John Meixner, of Laird Road does not like the word "prohibit". He feels residents should have a choice.

Town resident Doug Blumer, of Eagle Point Farms, submitted a letter to the board voicing his opposition to an indefinite moratorium. Mr. Blumer was unable to attend the

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Public Hearing, but did come to the meeting at 7:40 PM, and the Supervisor said he would include the letter into the minutes.

Supervisor Bush declared the hearing closed at 7:23 PM.

**REGULAR MEETING:** Supervisor Bush called the regular meeting to session at 7:24 PM.

**ADOPT MINUTES:** On a motion of Councilor Richardson, seconded by Councilor Betts, the minutes of the November 3<sup>rd</sup> meeting were approved.

**COMMUNICATIONS:**

- 1) A letter from NYSDOT re: the Town's request for lower speed limits on Peru and Schaap Roads and a formal investigation will be conducted.

**BUDGET MODIFICATIONS:**

On a motion by Councilor Kuhn, seconded by Councilor Betts, the following Budget Modifications were approved:

From:	B1990.0	Part Town- Contingency	300.
To:	B8020.1	Planning Board- Pers. Services	
From:	B1990.0	Contingency	1000.
To:	B9030.8	Social Security	
From:	B1990.0	Contingency	200.
To:	B9031.8	Medicare	

**GUEST:**

Jim Connor of Hart Lot, spoke with Councilor Dygert before the meeting, and had some of his questions answered- he was wondering if he was in violation of proposed code by driving his truck home at night. He "bob-tails" it in, and it's a tractor-trailer without the trailer. Attorney Oudemool said it was not a violation of the present or proposed code as it's an accessory use.

David Kochman of 5936 Sandbank Road presented the board with a petition from the residents of northern Sandbank Road requesting their area remain Agricultural rather than the RR, or Rural Residential, which is proposed in the current rezoning negotiations.

**OLD BUSINESS:** Sweeper bid specs for possible award.

Highway Superintendent Pelmeier stated that on Monday, we had the bid opening and there were two applicants. Dennis explained to the board some of the options and considerations regarding heated remote mirrors and center brooms. The price could go down if some options are dropped.

The first bid was from Joe Johnson Equipment at \$179,082.

The second was from Tracey Road Equipment at \$184,727.

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

ADOPTED: 5 AYES Betts Kuhn Dygert Richardson Bush  
0 NAYS

Resolution 115-10

Resolved: the Elbridge Town Board resolves to award the bid to Joe Johnson Equipment for the Six Wheel Truck Street Sweeper on the recommendation of the Highway Superintendent.

**NEW BUSINESS:**

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

ADOPTED: 5 AYES Betts Kuhn Dygert Richardson Bush  
0 NAYS

Resolution 116-10

**Resolved:** that the Town Board of the Town of Elbridge proposes the following year-end schedule for offices as follows:

Wednesday, 11/24/10- Thanksgiving Eve-Office hours 8:30 AM- 1:00 PM

Thursday, 11/25 & 11/26- Thanksgiving Closing

Wednesday, 12/1/10-Regular monthly Board meeting 7:00 PM

Wednesday 12/15/10-No Board meeting

Friday, 12/24/10-Christmas Eve-Closed

Tuesday, 12/28/10- Board meeting to approve bills 7:00 PM

Friday, 12/31/10- New Years Eve-Closed

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

ADOPTED: 5 AYES Betts Kuhn Dygert Richardson Bush  
0 NAYS

Resolution 117-10

Resolved: the Elbridge Town Board authorizes the Supervisor to enter into an agreement with Onondaga County on the United We Ride Project for the period of January 1, 2010, through December 31, 2011.

Supervisor Bush thanked Councilor Dygert for all her effort in securing this grant.

Supervisor Bush thanked David Kochman for bringing the petition to the Town Board, advised him it would not be acted upon this evening, but given to the committee for review, and said we need to hear from the people.

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

ADOPTED: 5 AYES Betts Kuhn Dygert Richardson Bush  
0 NAYS

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Resolution 118-10

Resolved:

Be it said that the Onondaga County Legislature, our County Legislator Robert D Warner and County Executive Joanne M Mahoney have made public statements impugning the financial practices of the Town of Elbridge town government, which are misleading and false.

It has been stated that the reformulation of the distribution of the sales tax revenue will 'make transparent and reveal the true cost of the town government' as a general statement with respect to the 19 towns that are within Onondaga County, which includes the Town of Elbridge. This statement is misleading in that it indicates the Town of Elbridge has not been forthcoming about our true costs. In our annual budget the Town of Elbridge has always been forthright in revealing our sources of revenue and our anticipated expenses. Furthermore in addition to the daily accountability of our upstanding staff, we are annually audited with strong positive reviews. For the record- the Town of Elbridge has never received the sales tax revenue to meet our budgetary needs. We in fact have allowed Onondaga County to return this to our tax paying property owners in the form of reduced taxes.

We as a board have stated in the strongest terms that the re-negotiation of the sales tax revenue was not in the favor of the Town of Elbridge taxpayer. Despite this our elected representation ignored our pleas and approved a sales tax revenue plan that will result in historically unprecedented tax increases to the Town of Elbridge property owners. Furthermore this formulation has penalized the rural poor as its formulation was based on assessed value, not on previously used methods. So while some towns have no negative impact of this new formulation, the Town of Elbridge taxpayer by published accounts will receive a projected \*78% tax increase.

\*78% is based on the currently projected tax rate of \$4.73/ thousand; the final tax rate will be set by Dec 15<sup>th</sup>, 2010

We as a board find it unconscionable that another political body has the audacity to then claim this tax increase is the result of the actions of the Town of Elbridge and the need for us to be more transparent. With the budgeted tax credit for 2011 to be \$317,934.00, by comparison the 2010 tax credit was \$944,990.00, the county would receive an estimated additional \$627,056.00 assuming tax revenues are the same amount as the prior year. Therefore, for the estimated \$627,056.00 amount in sales tax revenue the county will keep, the Town of Elbridge will receive NO ADDITIONAL SERVICES.

Furthermore the County Executive is always quick to put the Carpenters Brook Fish Hatchery (the only County-operated entity in our town) on the items to be cut list.

Furthermore the Town has taken the responsibility that belongs to the County to maintain Tow Path East as a drivable surface in the winter months with no reimbursement of cost.

Furthermore the Town has taken responsibility for Hamilton Rd, a county road on which our high school is located, as the county was not diligent in the care of this road.

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Meanwhile the County continues to maintain a parallel state road, Rt. 317 at a higher reimbursement from the state than the county offers the town for taking on their responsibility.

We furthermore reject statements by our legislator Robert Warner that state mandated Medicaid costs are in excess of 50% of the budget. Recently published accounts\*\* in the Post Standard state this cost is significant, but the fact is all state mandated costs total 21% of the 1.1 billion dollar 2011 budget. We reject the misrepresentation of this grossly exaggerated figure as a means of justifying the extraction of a projected 78% increase in our taxes.

\*\* "Onondaga County Tax Bills to Keep State Mandated Label" by Rick Moriarty published 11/3/2010 by The Post Standard.

We moreover condemn as misleading the longstanding practice of labeling the County portion of our tax bills as "State Mandated", when in fact it is the County Tax. We are disappointed our legislators who publicly decry the town's lack of transparency are hiding behind a blatant misrepresentation of facts. We are disappointed that you declined to address this in your recent vote.

We ask that the Onondaga County Legislature and elected officials immediately cease and desist any further reference to 'transparency of the cost of Town government' without specifically separating the Town of Elbridge from this generalization. We ask that Onondaga County Legislature state correctly that their portion of the Town and County tax bill is in fact the County Tax.

**COMMITTEE REPORTS:**

Councilor Betts: discussion on sales tax revenue.

Councilor Kuhn: garage doors were painted, brickwork in front almost complete-met with heating engineer re: fumes in offices-should have a proposal soon from architect.

Councilor Richardson: thruway activity winding down.

Councilor Dygert: holding an open house on Saturday (20<sup>th</sup>) to recruit drivers for the JET program. Met with Dirk and made some revisions to zoning proposal-hope to have another draft by mid-December. Attorney will meet with farmers on November 30<sup>th</sup> to discuss some farm issues.

Supervisor Bush: Highway Superintendent Pelmeur mentioned that our agreement with the county concerning Towpath East plowing has been addressed, and thinks it may have gone to the Village of Elbridge rather than the town and he's tracking it down.

**ADJOURNMENT:** On a motion of Councilor Richardson, seconded by Councilor Kuhn, the meeting was adjourned at 8:09 PM.

Respectfully submitted,

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Debra H. Stapleton  
Town Clerk