

July 9, 2013

The monthly meeting was held at 7PM at the Town Hall.

Present were:	Supervisor:	Steve Breneman
	Councilmen:	Sharon Eltz
		Jeff Smith
		Riley Closson
		Nancy Elwood
	Town Clerk:	April Law
	Code Officer:	Mike Andersen
	Highway Super:	Jim Smith
	Planning Board Chair:	Kathryn Elwood

Absent:	Dog Warden:	Chip Elwood
	Accountant:	Debbie Fisher

Also present were: Historian Beth Hummel, Steve Fox, Nancy Bauer, and Marie Peri.

Steve began the meeting at 7PM with the Pledge of Allegiance to the Flag.

PUBLIC COMMENT:

Steve Fox began by stating that his property seems to be a big concern to the Town regarding small buildings or buildings on wheels. He said he recently had an issue and was here to find out the information regarding Permits and buildings on wheels; is there a law against them? How many can I have? He said it has been brought to his attention that Sharon has a big interest as to what is going on up at his house. Sharon told him she had no clue what he was talking about. Steve said she had to be making the calls and it has been going on ever since he lived there. Steve stated that if anyone has a problem they need to pull in his driveway. Sharon again told him she had no clue what he was talking about. Steve said this has been an ongoing battle and stated he has had enough. He said that 25 feet from the center of the road begins his property and he is going to line his property with buildings so that no one can see down in there. He then said that he has spoken with his lawyer and if the harassment continues he will bring

Sharon up on charges for harassment. He stated that he has cameras up all around his place and he has had enough. Sharon told him he can bring up all the harassment charges he wants and that she had no clue what he was talking about. Steve said that he started building his building and along comes a Town truck with Sharon's husband in it and it slows right down by Norm Durand's house and sat for a few minutes, then come Roy on a tractor driving slow down by his house. Jeff Smith came through a couple times driving slow and said he has seen Sharon several times going by in her new car. He said that he is home all the time now and there are cameras set up and again said he has had enough. Sharon told him that is a public road and anyone one of those people can drive by your house. Steve agreed but said there comes a point in time when it becomes harassment. Steve told Sharon that the Board got rid of Larry Wilcox because he didn't do his job and they were going to drive Mike crazy with all this craziness. Sharon told Steve that he was free to ask Mike if she had turned him for anything. She said for Mike to tell the truth, she didn't care. Mike stated that he does not know who the complaints come from. When he comes into the office he just gets a list that has buildings going up on them and he goes and checks them out. Steve asked Mike if he had concern about the other buildings on his property and Mike replied no, just the one. Steve pointed out that he had already spoken with Mike before he began the building and Mike agreed. At this point Mike said he was going to address the issue of square feet and need of building permit later on tonight. The State says anything over 140 square feet needs a permit but most Towns will adopt their own; over 70 square feet, over 100 square feet; until it meets State codes. Mike pointed out that Steve's Ag. Building didn't need a permit he just wanted to make sure it was structurally safe. Mike addressed the buildings on wheels and said that as long as it is less than 140 square feet and is not permanent we have nothing to say you can't do that in place. Again Mike said he would be addressing this later on. We have a shed on our fee schedule but we need to define what a shed is. Steve went on to say that it is getting to the point where you have to have a permit for everything and Friday is the only day this place was open to get one. Steve asked if he called Mike and got a heads up to him would it be okay to start to build and Mike said yes. Mike said that as long as he is aware of it and someone asks him about he can tell them he has already spoken with the property owner. Mike pointed out that he is just looking out for the Town as well as the property owners. Steve moved on to the question of how is he to block off his property from the road when he has a 15 foot bank in front. Steve said he has no problem putting up a fence because he knows that all the

vehicles, equipment up there is going to get phone calls and complaints. He stated that to go higher than 6 foot with a fence would be quite difficult plus permit needed. Mike said that anything that is over 6 ft. is considered an accessory structure and all you would really have to do is meet the setbacks, which there really is none, then file for your permit and you would be all set. Steve asked what the Town owns and Mike told him the County owns 25 ft. from the center line. Jeff suggested he take it back off the road a little bit to save himself from the snow load on the fenced come winter. Steve said that in a few years he hopes to build a new house and keep the road frontage and fields but is going to fence it all in. He ended by saying that his main complaint is if anyone has a problem then they need to pull into his driveway and discuss it with him. He continued to say no one likes to hear secondhand news and be talked about and if anyone has a problem talk directly to him. Sharon said to Steve that he was looking directly at her but she had no idea what he is talking about and knew nothing about buildings on wheels. Steve said every call that Larry Wilcox ever got, in the last 12 years, he told Steve that it was Sharon making the complaints. Sharon said Larry can tell you whatever he wants to And Steve said she is going to run this guy (Mike) through the ringer just like Larry. Nancy said that Mike gives a wonderful report and Steve agreed saying you can't complain about him, he does his job. Steve said Larry didn't show up with paperwork, shoes on and had no idea what he was doing even when leaving. Jeff said that he felt we had done good by finding Mike and Steve agreed saying he had no problem paying people that do their job and said that was all he had to say. Steve asked if there was any other Public Comment and Nancy Bauer stated that she has to get a new driveway tube. She wanted to know where she gets the permit, the tube, who installs it? Steve asked if she meant the drainage pipe under the driveway and she said yes. Steve asked Jim to fill her in on that and Jim asked her the upper or lower driveway. She answered the lower and said that during the recent heavy rain all the water ran towards her driveway and her basement and made a huge mess. Jim stated that he had the pipe and the Town will put it in. Nancy asked if she had to pay for the pipe and Jim said no, as long as it is an existing driveway we will replace it. She cleared up that she does not need to get a permit or pay for it and Jim said no. She apologized and said she was misinformed by Roy who told her she would have to purchase it. Jim again said no, existing driveways we replace. She then asked if she could get the trenches cleaned out and Jim said when he has time, yes. Nancy said if we get another heavy rain she is going to have another 5 inches of rain in her basement and Jim told her she was not the only one. Nancy asked

him why the top of the hill got cleared but the bottom where it all drains down to hasn't been cleaned yet. Jim stated that he cleaned her ditch 2 years ago and asked if she remembered that because she complained about it and she said yes. Jim said there is no way they can clean all the ditches out every year so they work them in when they can. Nancy said she understood but the bottom of the hill where it meets Brook might need some more attention. Jim stated that there are a lot of people at the bottom of hills with the same problem. When he gets the flooding problem settled he will address the issue and said he could not give a date. Nancy asked if he would contact her to let her know they were going to do it and Jim said if she would like and she said yes, she would like to be notified. Jim said it would only take a matter of a few hours to change it and if she is there he will let her know so she can get her vehicle out and Nancy said she has a second driveway so she was not worried about that. She then asked if she needed a permit to re-grade the driveway and said she has equipment coming tomorrow to do that and she wants to make sure she is not breaking any rules. Jim told her she was fine and she could do whatever she wants with her driveway and they will put the pipe in. He stated they would put a bigger one in to handle the water and Nancy thanked Jim for his help.

Prior to the meeting the Board members read copies of the minutes. Sharon pointed out that April missed adding Beth Hummel to the present list at last month's meeting. April apologized and said she would change it.

MOTION: "Accept minutes of meeting with change"

Made by Sharon Eltz, 2nd by Riley Closson

Votes cast: Jeff Smith

Riley Closson

Nancy Elwood **carried**

MOTION: "Accept Accountant's report as written"

Made by Sharon Eltz, 2nd by Riley Closson

Votes cast: Jeff Smith

Riley Closson

Nancy Elwood **carried**

Prior to the meeting the Councilmen reviewed, discussed and signed vouchers

MOTION: Pay Highway vouchers for a total of:	\$5,223.59
Made by Sharon Eltz, 2 nd by Riley Closson	
Votes cast: Jeff Smith	
Riley Closson	
Nancy Elwood	carried
MOTION: Pay General Fund Vouchers for a total of:	\$5,332.49
Made by Sharon Eltz, 2 nd by Riley Closson	
Votes cast: Jeff Smith	
Riley Closson	
Nancy Elwood	carried
Total Funds disbursed:	\$10,556.08

Steve began by addressing the proposed updates for Employee Policies and asked if everyone had a chance to review them. Riley pointed out that we included Highway and part-time employee but the policy missed full-time employee. Jeff raised a question regarding drug testing and wanted to clear up whether it was prehire. There was a little confusion as to what he meant and April asked Jim if an employee has to take a drug test before they are hired or after. Jim replied they take the drug test after they are hired, but have to pass it before they can drive the trucks. Jim explained that as soon as he hires someone t with a CDL license he ash to take them in for a drug test after that they are thrown into a random pool and called whenever their name is drawn. Steve asked if it was a requirement for CDL and Jim said yes, they are picked 4 times a year. Jeff said he didn't realize they had to be tested before they drive and Steve told Jeff that was a good question. Jeff said it was his wife's idea but after talking about it he felt it was a good question to raise at the meeting. Jeff asked do we extend it to include everyone or just do the Highway guys, if we do that are we practicing discrimination. Steve asked if Suit Kote tests all there office people and Jeff said he did not believe so and Nancy Bauer added they test anyone that could cause a liability issue. Steve pointed out that it wouldn't be discriminatory and this pertains to Highway employees operating equipment. April asked if they still need a full physical from the Doctor when applying for a CDL which would include the drug test and Jim said not for a Municipality. Some of the Board was taken surprised by this information and thought they all had to do this. April said she remembered her husband going through it and it was a very intensive physical

and they cover anything and everything. There was a small discussion as to the benefit of catching this all in the Probation period that each employee has. We will test them before that period is over and nip any problems in the bud, tabled until next meeting. April brought up Nancy had a good point in the discussion of drug testing regarding employees getting injured. If an employee causes an accident or is injured on the job they would go to be drug tested immediately. Jim confirmed that was already in place, if someone causes an accident or injury they are automatically drug tested at the hospital. Jim did point out that it is not State Law and Chenango County does not do random pools/drug testing and are only tested if there is an accident. Sharon asked if you can request one specifically if there is a concern and Jim nodded that he could. Steve asked if there were any other issues to discuss and Sharon mentioned the Time Warner issues with adding coverage. She had someone ask if there was a part of the contract that said they would take steps to increase coverage. Steve said that was one of our issues that we have already put down to address and added the only people that benefit from Time Warner are the people right in Town. She was also asked if they listed measures or guidelines that they use to govern such expansions, which everyone is in agreement it would be in our best interest. The Board does not feel it will happen but they are not going to come through and yank out there service either. April pointed out that we just experienced a few problems with their service and pointed out that we can't deal with 45 minutes of troubleshooting and the Time Warner Representative didn't care.

CODE ENFORCEMENT:

Mike said he checked out about a building on Crandall's property, Allen Hill. He would like the Board to address the issue of Building permits regarding the size of sheds. The State says anything over 140 square feet needs a permit unless each Town stipulates differently. Jeff and Marie agreed that they believe that the Town changed it to anything over 120 square feet and Mike said he would have to look into it, but didn't remember seeing anything that said that. Mike said we would need to address that in our Town Law and needs to be specific to size, anything over 50 square feet or 100 square feet. Sharon asked him what our fee schedule says now and Mike replied it only says shed \$25.00. Jeff and Marie said again they are positive it was at 120 square feet. He moved on to a property owner on Burchesky Road and the deck was no good so he sent them a letter telling him what he needed to do to fix it. The owner found paperwork online for City of Cortland and sent it to us. Mike realized it was not the proper paperwork nor was

the check for the right amount so he sent it all back to him. Mike said he stopped at Latta's and the fence is all done and looks good around the in ground pool. He said he stopped over at Riley's and said the foundation looks good and he had some good work going up. Mike said he stopped at Steve Fox's and his sketch submitted looks good. Then Mike pointed out a problem to only coming around once a week, people are not doing things properly and by the time Mike sees it it's too late. They did a good job on the foundation by putting up all the blocks and tarring it. Mike got there and told him you also have to parge the walls as well as tarring. Mike explained how the seams need to be sealed before the backfill is put in or you are going to lose your foundation. Riley joked saying he has pictures he has been taking the whole way if Mike wanted to see and Mike told him he was good. Mike again said that is a State Code to parge the walls and it must be done. He moved onto say he received a call from Jay Davis who wants to extend his Building Permit and Mike said he would not extend it because they never submitted a sketch that Mike requested explaining the deck. Mike said once there Permit is expired it is done and he has stopped several times but needs to have this stuff (sketch) on file. Steve asked him if it was something new and Mike said no not really. He then gave the example of someone putting 3 layers of shingles on their house then with a heavy snow fall the roof collapses. The Insurance Company comes out to see \$50,000.00 worth of damage and they pay it, only to see that the owner had 3 layers of shingles. The Insurance Company is then free to go back on the Town and hold them responsible for not making them get Permits and do it legally.

HIGHWAY REPORT:

Jim said the crusher is setting there and if it ever stops raining they will get to work crushing gravel. Jim said the biggest problem they have is the bridge on Union Valley Road and would like to avoid filing for FEMA. He said first of all they would make us take the whole thing out and it would cost between \$50,000.00 and \$100,000.00. Jim stated that it did not take the whole bridge out but just tipped the wing over. The water started down the back side and dug a hole in there. Jim had Randy Monroe came in and looked at it and explained how he could fix it with cement and rebar (?). Monroe is figuring 30 yards of concrete then backfill and we could open the bridge back up. He also spoke about some stackable stones that may be a good idea to help stabilize it. He said if the Board approves it Monroe can move in next week and fix it in just a few days. Jim said he upset the FEMA lady by telling them they we did not really want to get

involved with the program and she felt we were denying money. Jim told her maybe we were, but the Town of Pitcher put out \$80,000.00 for a pipe and as of this meeting they were still waiting on the money from FEMA. Jim said he was going to oil and stone some roads but they should be good for another year so he can take what he was going to use and apply it to the bridge. Jim explained how the water ran right down and busted the pipes out with all the recent heavy rain fall. They have replaced two pipes and got them done before the next big rainfall. Jim was asked how Hawley Woods looked and he said it looks good considering, everyone has had water issues. Jim added that up on Mt. Roderick road there are some deep grooves to be taken care of but most of the flood damage has been taken care of. Jim mentioned that he was having problems with a truck and cannot release the clutch. He has a book on it and Him & Geno will study the book and see if they can get it going. Jim plans to draw in sand on the days it is raining and crush 700 yards of gravel when it dries out. There was a small discussion as to water running into the roads off people's property and Jim used a long driveway on Potter Hill as an example. The owner put in a long driveway that runs water right down it into the road and people wonder why the roads get washed out, it is illegal to run water in to the roads. Riley added said he had an issue with the Cheese Factory running water onto his property and he called to find out that the Federal Law says a Property Owner that has more value can run the water drainage onto the next door neighbor. The Board was unaware of this Law.

PLANNING BOARD:

Kathryn stated that she had nothing to report and everyone in Taylor must be happy, or at least not subdividing. Kathryn did report that 2 members, Linda Crowley and Chip Elwood, of the Planning Board have run out of time and will need to be appointed back in. Steve asked her what a term is for the Planning Board members and she answered 7 years. She added that the appointment is usually in January. The Board discussed having them coast through until appointments next year or appoint them now. Steve pointed out that the Board should probably do it at this meeting just in case. Marie and Nancy agreed that it was not a good idea to have 2 members down on the Planning Board for the remainder of this year.

MOTION: Reappoint Linda Crowley and Chip Elwood to the Planning Board

Made by Sharon Eltz, 2nd by Jeff Smith

Votes cast: Jeff Smith

Riley Closson
Nancy Elwood

CLERK'S REPORT:

April began by saying she was going to take up a little time tonight and began by saying that recently the question had come up as to who set the hours for Town Clerk office. April said that upon taking the job she thought it was something the Board had put into place. While recently working on Personnel sheets the question was asked as to when the Board set the hours. April reviewed minutes from several years and could not find anything regarding the subject so she asked Marie Peri and Marie said she had set her own hours. April then made some phone calls to see if there were Laws or guidelines that needed to be abided by when it comes to this matter. She called several Town Clerk/Tax Collector's around us and found that the Town of Taylor has triple the office hours than surrounding Town's with the about the same population and tax bills. She then made a phone call to one of the Directors of the Town Clerk Association and found after 2 hours on the phone found out a lot of useful information that she felt needed to be shared. She found that the Town cannot set hours for the Town Clerk unless all offices abide by the same hours. This would include Mike, Steve, Chip, and Rollan. Steve chuckled and said that if we were going to set hours we would be open at 3:30 am, April laughed and replied that is not happening. She also stated that she has been getting numerous complaints about the availability of hours and that they are not accessible for working people. She said that she is thinking about the days that would work best but wanted the Board to be aware that the hours will be changing in the next couple of weeks. She also pointed out that she does not need to be in the office located here at the Town Hall and can choose to run business out of her home. She added that she did not want to do that because she needed the separation from her family. Although it is a small Town and everyone knows where she lives so they just stop at her house. Steve pointed out that we bought this building for that purpose and the Office is better off here. Jeff asked if she helped people when they came to her house and she replied she did not have a choice but she will pick and choose who she deals with. She gave a couple of examples where people have stopped drunk or angry with one incident involving the Police. It needs to stay here in the Town Hall and away from her family. April finished up by saying that she felt our Office hours as of now are uncalled for and feels the new hours should be more accessible including an evening hour slot. She will think about it, make necessary changes and make

sure to post a Legal Notice in the paper alerting the Town people. She then moved onto her Clerk's report and said that during the month she sold \$20.00 in hunting licenses. The Town will receive \$1.11 and DEC will automatically deduct \$18.89 on or about July, 14, 2013. There was 3 Building Permits issued this month; 1 for Closson-\$50.00, 1 for Smith-\$50.00 and 1 for Fox-\$0.00. Check was written to Steve for the amount of \$101.11 with a copy on the back of her report.

MOTION: Adjourn meeting made by Sharon Eltz, 2nd by Jeff Smith.....carried

Respectfully Submitted,

April Law
Town Clerk