

June 12, 2012

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
	Planning Board Chair:	Kathryn Elwood
	Code Officer:	Mike Andersen

Absent:	Highway Superintendent:	Jim Smith
---------	-------------------------	-----------

Also present: Legislator David Fuller, Historian Beth Hummel, Accountant Debbie Fisher, Denise & Hal Hopkins, Chip Elwood and Mike Root.

Steve began the meeting with the Pledge of Allegiance to the Flag.

PUBLIC COMMENT:

Sharon started out by answering Beth's question from last month's meeting regarding Bryce's assessment value on the race track. After speaking with David Briggs in Cortland County Assessor's Office she told Beth that his Tax assessment will go up when and if it becomes a Commercial Property. Beth asked what classifies him as a Commercial Property to which the Board replied once he is taking customers in and collecting revenue. Sharon then spoke briefly about the tax rate not going down on Beth's property because of the race track being next door. Beth disagreed, saying at a meeting they were informed that property values are being affected by gas drilling. These properties are being affected because no one wants to move in next to gas drilling. Beth did not see how this was any different except she has a race track next door. Beth then asked, who decides he is open? Sharon answered saying when he becomes commercial. Answering, in her mind he will be open when he is charging people. Beth asked if he has to notify anyone that he is opening to which Jeff and Sharon replied no, not to their knowledge. Jeff told Beth the only way he would have to notify us is if he was putting up buildings he would need the proper permits. Then the Town would know due to having to inspect the buildings. Beth asked if he opens next week who would know except her because she has to hear it. Jeff replied it is a small town and everyone would know he was in operation. Jeff reminded Beth that David Briggs can be called anytime. He does his reevaluations once a year up to March 1st, anything later than that date would go on the following year's evaluation. Denise Hopkins added that according to Dan Daneen (sp) if the property is taken out of the Agriculture assessment the Town would be able to enforce a penalty for changing status. She believed the penalty could be as high as 20%. Sharon stated that she didn't think it had Agriculture status to begin with, it's just woods. There was a brief discussion as to his Tax status. Denise said she was sure it was agriculture and so the Town needs to look into these penalties. Jeff brought up the fact that there is also a recreational status too and Sharon said yes, but he wouldn't have been in that category either. She did mention that he might go to recreational once he starts running things, she didn't know. Jeff added that he wasn't sure either because a lot of the old farm lands that are being bought for hunting he would have thought them to be recreational. Sharon assured him that she was sure they weren't classified that way. Beth then asked if he opens and is charging people, doesn't he need bathroom, hand washing facilities and or parking permits. Steve

answered saying that would be up to The Board of Health. Beth asked if that was for the parking as well. They responded that parking would be up to the Town to enforce permits. Mike Andersen added that if he was to install bathrooms he would have to go through the county for permits & Inspections. He also added that he looked up the noise ordinance and the State does have a noise limit of 90 decibels. He explained this was pretty high and was more for tractor trailers coming down hill and letting off with jake brake systems. Any towns and cities he had checked into that had these had made them stricter by adding "No unnecessary noise" which is hard to enforce. He gave the example of a complaint over in Groton where people were woken up by the snow plowing the parking lot next door at the bank. When Mike responded the snow plow driver explained that he does his work between the hours of 9-6 am, is that unnecessary noise? He explained probably not, which proves the noise ordinances hard to enforce. Mike then jumped back to the race track and again said that if he has an office set up it would need to be inspected. Also any public assembly, which means more than 50 people in one building, that would have to be inspected for fire alarms and fire extinguishers. Beth said that she imagined he would use one of the trailers up there as his office and who would inspect that. Mike said he would if it was open to the public, meaning anyone other than him. If he did have salesman or surveyors in his office it would have to be inspected a minimum of every 3 years. Again he stated that it is a very small thing, looking for exits, fire extinguishers and smoke alarms. David Fuller asked the question, He has a LLC doesn't that make him Commercial? Mike replied that it doesn't make him Commercial until he is an open business with buildings and fixed seating, such as bleachers which would need to be inspected. Sharon told Beth that she could not answer anything more than what David Briggs told her. She told Beth to feel free to call the Assessor's Office in Cortland with any more questions.

David Fuller began by answering Steve's question regarding the cuts to the Youth Bureau. David explained they went through and reassessed the reduction in funds to the County and resulted in cuts to everyone involved. Town of Taylor went from receiving \$500.00 to \$124.92 which reflects a deep reduction in funds available. He explained that the monies that come in to the State are grants and Towns are eligible to reapply for these, but the pointed out the deadline is quickly approaching at June 22. The County essentially took all grant money and divided it up to show a deep cut to everyone in the County. He then spoke of a meeting he attended at the Health Center with MECA (sp) who are interested in starting up a Town pool in Cincinnatus that would be indoors. Steve joked that they better watch the zoning on that stuff. David stated that he told them that they would most likely be able to acquire the funds to get the pool, but you would have to raise the funds to maintain it. He pointed out the continuation of funds over the next 20 years would be hard to come by. Sharon said just because it's in Cincinnatus we will all pay. David said that this group did not seem aware that there was a Joint Youth Commission so he sent them that route for answers to funding. For informational purposes David gave some figures in this year's Amnesty Day turn out from the County.

2012 AMNESTY DAY

Small tires- 824 tons
 Med. tires- 21 tons
 Oversize tires- 3.19 tons
 Trash- 314 tons

2011 AMNESTY DAY

Small tires-8,560 tons
 Med. tires- 409 tons
 Oversize tires- 185 tons
 Trash- 343 tons

As this shows the amount of trash taken in went down slightly the amount of tires taken went down dramatically. David attributed this to Town's not accepting tires at all to which he received a few phone calls about. Sharon asked where does the County think these tires are going end up to which David answered they will be found dumped along the roadside. Steve said then the County will make big bucks to come pick them up and David said most likely. Beth asked if we as a Town took them even if people paid per tire, she then asked how much it was per tire. David answered it is \$5.00 a tire or \$100.00 a ton. Nancy pointed out that when we buy new tires for our vehicles we already pay for disposal of tires so why should we have to pay it again. David said you don't, you leave them right down at McKee's or

wherever you bought the tires from. Nancy added that they will just stick them in the truck if you are not paying attention and Nancy added she would be on full alert next time. David then informed everyone that these businesses charge you for tire disposal but then they get paid for them to get taken away and shredded for playgrounds. Mike Andersen suggested that we take tires on Amnesty Day but pass the charges along to the person dropping them off. That way there is no loss to the Town and we will not have these tires dumped in ditches and the sides of roads. David agreed that this would be the best answer in the long run. David stated that the City Council is meeting tonight to approve or disapprove the Sales Tax Projection. If they approve it and sign it, David doubts they will, it will go through the same except for the cost of the inoperable system (1.5 million) will come right off the top of the 24 million that the County gets and the rest will be divided the way it always has been. The percentage increases slightly each year for the County and decreases slightly each year per Town until it reaches 53.5% for the County and .87% for the Towns and Municipalities. Steve asked if they did anything with the building thing with the Commerce to which David replied we are working on it. David mentioned that Steve and David have been working on the BBCIDA (sp) which gives 2% of operations to the tax exempt organizations. They try to bring industry into Cortland County and he believed there contribution to be somewhere between \$6,000 and \$7,000. The County automatically gives them the 2% and there is already discussion for a reduction on that figure. David said if anyone has any questions on Sales Tax he would be happy to answer them. He ended by mentioning that on the November ballot there will be an option to reduce the number of Legislators for Cortland County from 19 to 17. If we reduce it by 2 the City of Cortland loses one legislator and Homer loses the other. Sharon asked how do they decide who goes? Is it a low man on the totem pole system, David said it will depend on the next election; nothing would change until those results were in.

Prior to the meeting the Board members read copies of the minutes

MOTION: "Accept minutes of meeting as written"

Made by Sharon Eltz, 2nd by Jeff Smith

Votes Cast:	Sharon Eltz	Aye	
	Jeff Smith	Aye	
	Riley Closson	Aye	
	Nancy Elwood	Aye	carried

MOTION: "Accept Accountant's Report as written"

Made by Sharon Eltz, 2nd by Jeff Smith

Votes Cast:	Sharon Eltz	Aye	
	Jeff Smith	Aye	
	Riley Closson	Aye	
	Nancy Elwood	Aye	carried

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

MOTION: Pay Highway vouchers for a total of: \$3,207.41

Made by Sharon Eltz, 2nd by Riley Closson

Votes Cast:	Sharon Eltz	Aye	
	Jeff Smith	Aye	
	Riley Closson	Aye	
	Nancy Elwood	Aye	carried

MOTION: Pay General Fund vouchers for a total of: \$1,825.04

Made by Sharon Eltz, 2nd by Riley Closson

Votes Cast:	Sharon Eltz	Aye	
	Jeff Smith	Aye	
	Riley Closson	Aye	
	Nancy Elwood	Aye	carried

Total Funds disbursed was: \$5,032.45

At this point Steve had to leave and turned the meeting over to Sharon.

INFORMATIONAL CORRESPONDENCE:

Sharon let everyone know we are still looking for a new Dog Warden for the Town. We have spoken to Rose Bush and are still working on her for the position. We have a dog enumeration that needs to be done in the near future to get an accurate number of dogs in Taylor. The supplemental draft presented at last month's meeting by Ken Diaz needs to be looked into some more. Jeff agreed that he has not talked to enough people to make a decision. Sharon pointed out that Willett has already signed it and Jeff didn't really feel signing it would make a big difference. Sharon said what she understood from Ken Diaz was if we signed it we would be one of the first ones considered in the drilling, she wasn't sure if that was right or not. Jeff again said that he is not sure that it will get the results people are expecting meaning big money for landowners that allow drilling. If they do see that big money it will not be for some time, Riley added that they have already shut the wells down in Smyrna due to the prices dropping. The Board reported that even in Pennsylvania the drilling has stopped in a lot of places and the drillers are moving to Ohio. Jeff and Sharon agreed we would table it again for more discussion before the next meeting. Sharon brought up a couple of incidents at the Town Clerk's home which resulted in the Sherriff being called. We waited for over an hour before the Sherriff showed up and stated that there were only 3 deputies available for the whole County that day. Our decision is that from now on any issues that involve the Town and requires police we will call the State Police. We believe that they will respond quicker, the Board agreed they would call the State Police over the Sherriff any day. David Fuller added that if we call 911 and request the first available dispatched person we would get a quick response. David did not know why it took so long to respond but did state that the Sherriff's office has taken some pretty big budget cuts. Sharon said while we are on the subject we needed to talk about the Stop sign on Route 26. We all know that people are not stopping and Jim Smith has reported that there is one woman every morning comes down Cheningo Solon Pond Road doing 60 miles an hour and never attempts to stop for the sign. She doesn't hit the brakes and never takes the time to look left and right for traffic. Sharon said we have tried to get the Sherriff over here numerous times to help with his matter. David Fuller added that he had spoken with Lee Price in the Sherriff's department and the response he got was "His deputies have stayed away from there for one reason and one reason only. They came over one day and wrote 30 some tickets and the Deputy stood in the Town Hall Court and all tickets were thrown out". Jeff said he was pretty sure that was the previous judge. David Said the previous Judge stated that he did not feel the Stop sign should be there and dismissed them all. Sharon said "well that was back then" and David agreed that it was several years ago, but they don't forget. David stated to Lee Price that we do have a new Judge now. Jeff added that we should be placing a phone call because if a crash were to happen the Sherriff could be liable. David said they are around once in a while and he has seen them over by Scott Elwood's house watching the Stop sign. David said that this is a problem and if you were to stand at the Stop sign on Route 26 and count the cars that actually come to a complete stop even with no traffic coming it is very few. Jeff said it is a problem many places including Cincinnatus. The four corners in Cincinnatus was brought up as to people not knowing who is to stop, it is not a four way stop. Sharon added that it would be a shame if there was a bad accident and we need to get it under control. Sharon moved onto Insulation bids for the Highway

garage. We have received 2 bids- one from Affordable Insulation, Chenango Forks= \$14,600.00, the other one is from Blue Ox= \$9,770.00. Jeff asked if Blue Ox was the company who did the first half to which Sharon answered yes. Affordable Insulation would use a 2 inch with an R factor of 26 and Blue Ox uses a 3 inch with an R factor of 21. Riley said he thinks that is a no brainer. Mike asked what we were going to insulate and Sharon told him the ceiling over to the Highway garage. Jim said the 3rd bid was not given because it was so much higher last year he didn't bother with them this year. Sharon wasn't sure if we needed the 3rd bid or if we could just go with the 2 given. There is certainly a big price difference between Affordable Insulation and Blue Ox. Jeff said he can't imagine someone else being that much cheaper and if they were it wouldn't be worth the hassle. Everyone agreed Blue Ox did a great job before and Sharon asked if they were going to vote on this and Jeff said he did not see why not.

MOTION: Accept Blue Ox bid for Insulating Highway Garage

Made by Jeff Smith, 2nd by Riley Closson

Votes Cast: Jeff Smith

Riley Closson

Nancy Elwood

carried

PLANNING REPORT:

Kathryn reported they have had no new business so there was no meeting.

HIGHWAY REPORT:

No new business. Jim had an operation yesterday and he is doing well.

CLERK'S REPORT:

I was happy to report that Property Taxes are done and I settled with Cortland County Treasurer the beginning of June. I printed out a report from January 1, 2012- May 31, 2012 which shows all payments received and shows how much interest that was paid to Steve. I sold a few hunting licenses which gave the Town \$10.59 and DEC will automatically deduct \$181.41 from our checking account on or about June 14, 2012. We issued one building Permit for \$125.00, total disbursed to Steve was \$135.59. For the month of May we took in \$24,025.00 in Property Taxes of that \$922.95 was Interest paid to Steve along with \$86.00 in mailing fees imposed by Cortland for overdue tax notices. Our bank YTD bank Interest totaled \$21.59. Total disbursed to Steve was \$1,030.54. I have included copies of both checks on the back of me report. I settled up with Rita in Cortland and wrote her a final check for \$57,254.22 ending Property Tax season for 2012. Total disbursed funds were \$ 58,284.76.

CODE ENFORCEMENT REPORT:

Mike started out by saying he had given copies of his monthly report, most of the Board reported not having them in their packet. He is still dealing with the problems on the Kotowicz trailer, same issues still exist. They know what they have to do to get it up to code. He reports the big issue we are dealing with right now is swimming pools. He pointed out that Steve has checked and everyone on the Town Board does have Omission Insurance which means if something happens we are not aware of we can't be sued. If someone were to get hurt or drown in a pool that we were aware of and did not follow through with the code enforcement we are liable to be sued because it is no longer error of omission, we were notified of it and did nothing. He was letting the Town know that when he writes these people up and send them to court we have to enforce it. He does not write these laws, the State does and he just has to follow them. Anyone that goes and buys these blow up pools from Wal-Mart has to have it fenced in, an alarm on the fence and pool, an automatic gate and an Electrical Inspection. The only exception is one of the ridged frame pools does not require a fence but it still needs an alarm and the Electrical

Inspection. He has a couple he is dealing with right now that he is going to have to send to court and asks that the Judge back him up or the Town residents will see nothing being done and will do as they please. Mike brought up the Wilkin's property at the Stop sign and stated that he and April came across a violation file that had Eddie Wilkins in it 3 times going back to August 2003. Mike wanted to know what happened to this case and why it wasn't dealt with then. He was sent to court and nothing was done. Sharon said Larry Wilcox told her that Eddie Wilkin's was here 2 different times and Rollan never showed up. Nancy couldn't believe that Rollan wouldn't have showed up and said she would ask him about it when she got home, she can't believe he would have done that if he was notified. Mike said he has the violation order with him that shows he was supposed to be in court September of 2003. Nancy again said she would ask him about it. Jeff added that was a sticky situation when we are citing people to appear before the Judge who has buildings that were in poor shape too. Mike pointed out that this should have been dealt with a long time ago and now the Town is/was liable if anything had happened, because it is on paper that we knew about this problem in 2003. He stated that he has posted the building and will be charging the property owner for the cost of the signs. Mike also reported that he was questioned about the Communication Tower and reported that they are on County property and he has no Jurisdiction. They have their own Code Enforcement Office to deal with these things. David Fuller then asked Mike why he was questioned and what the question was. Mike answered that the Town Board wanted them to apply and receive a Building Permit for the Tower to which Mike again stated he has no Jurisdiction on County land. In conclusion he referred to a building permit for Peter Miceli on Potter Hill Road. He has been up and inspected the footers and the walls are starting to go up for a new double wide home. Jeff asked Mike in closing if Eddie Wilkins had been in contact with Mike. Mike replied that Mr. Wilkins had requested a list of three contractors in the area to remove the front of the building. Mike has sent him the information and has not received a response. I then added that Mr. Wilkins called the Town Clerk's Office a few weeks ago and stated that he had not received the letter and I informed him that Mike had sent it and I received a copy. I asked him if he would like a copy of the original mailed to him and he said yes, I put it in the mail that day and have heard nothing since. Mike doesn't feel the Town should wait too long before moving on this matter. He suggested the Town take down the front of the structure putting a levy on his taxes for the upcoming year, and getting rid of the junk cars. Once this is done, the front of the building along with all doors and windows need to be boarded up.

Sharon then asked resident Mike Root, who came in after the meeting began, if he had anything to add.

Mike Root began by apologizing to April for an incident that happened in her home earlier in the week. He stated that he did not mean to hurt her in any way and was sorry. Mike then stated that he had just got off the phone with someone else and was told he was drug out of her house by Steve and this was something he didn't like. He stated "He does not appreciate someone starting shit". Jeff replied "We live in a small town and you are going to deal with that, doing what you did". April answered Mike stating she had not spoken about this incident with anyone other than the Town Board. Mike then wanted to clarify a couple of things to make it all clear. Mike asked April if he had threatened her in any way, to which she replied no. He then stated that he does feel horrible for his actions and had thought about it all day. April then asked if he thought about it last week, to which he said no. April then pointed out that this was not an isolated incident and had happened 3 times. Once again he apologized and stated it would never happen again, April told him Thank You. He added that he was a big enough man to admit to his mistakes and that it would never happen again, April said she appreciated it. Mike then changed the subject to the pool laws. He understands that it is Mike's job and the law and was not going to jump on anyone. He has turned his permits in for a pool and a deck, and reports that he is working on the fence around the pool as we speak. Mike suggested he get rid of the Inflatable pool and get a sturdy

structured one which does not require fence. Mike Root stated that he was lucky enough to have someone give him the lumber or it wouldn't be worth it. Mike Andersen agreed stating that a \$1000.00 fence is too much for a \$200.00 blow up pool. Mike again went over the rules regarding fencing, gate closure and electrical Inspection. Mike Root reported that he had three outlets that do not require an extension cord to plug in the pool. Mike Root then asked Mike Andersen if he starts with a 4 foot fence and ends up with it 6 feet (due to sloping on the property) does he require a permit. Mike Andersen said the State says anything over 6 feet needs a permit, but in this case we would not require it. Mike Root ended by again apologizing to April. Mike also mentioned that he spoke with Steve earlier on the phone today and also apologized to him. He also mentioned that he spoke with the Sherriff on the phone today for an hour and a half. He stated that he knew the Sherriff which made it all a little easier to deal with. Sharon thanked him for coming to the meeting. Mike Andersen stated again that his job is complaint driven and he does drive around looking for issues, but if a complaint comes in he must follow up on it, Mike Root agreed knowing that this is his job.

MOTION:To adjourn meeting was made by Riley Closson, 2nd by Jeff Smith

Respectfully Submitted,

April Law
Town Clerk