

May 14<sup>th</sup>, 2013 Public Hearing on Time Warner Cable Agreement and Monthly Board Meeting

The Public Hearing on the Time Warner Cable Agreement was held at 6:30 in the Taylor Town Hall.

Present were:	Deputy Supervisor:	Sharon Eltz
	Councilmen:	Nancy Elwood
		Riley Closson-came midway through mtg.
	Clerk:	April Law
	Planning Board Chair:	Kathryn Elwood

Absent was:	Supervisor:	Steve Breneman
	Councilman:	Jeff Smith
	Highway Superintendent:	Jim Smith
	Accountant:	Debbie Fisher

Also present were: Town Historian Beth Hummel, Dog Warden Chip Elwood and Marie Peri.

Sharon opened the Public Hearing at 6:30 PM.

Sharon began by saying that this agreement basically states that they can run their cable lines through the Town of Taylor. It does not cost us anything and it does not make us anything. Beth asked if that meant they would run the lines to make it accessible to all the Town's residents. Sharon said it says they will provide services for as far as they have run the lines and she said they have only run them up as far as the guy who works for Time Warner's house. Beth asked why the Agreement was for 15 years and Sharon answered she did not know, but added that it is pretty cut and dry. Beth asked if it would exclude anyone else that would come along offering cable/internet services. Sharon replied that she did not believe that it excluded anyone, but added that she couldn't say for sure because Riley was the one who went over it extensively. She said that Riley will not be able to be here until this is over, probably. Sharon said that if anyone has any questions that they want her to get answers to she will do that. Beth said she was curious as to the fifteen years and why they would put a number on there. Kathryn added that she thought us changing providers was what this dealt with and Sharon said we changed our internet provider and phone service to Time Warner. Kathryn asked who we were with before and Sharon answered Frontier. Kathryn answered okay and Beth asked if this means that Time Warner can do what they want, meaning running lines on anyone's property, is this in the contract. Beth proposed asking them if they would run lines to all of the Taylor residents and Sharon said they will not provide service to anyone where they don't run the lines. Sharon said they have run lines here in the village and asked if anyone knew how far it goes towards Pitcher. Sharon said Jeff seemed to think they ran the lines all the way from Pitcher down here. April said she was not sure about that. Beth added that she would like the choice to have Time Warner available at her house. Sharon agreed that yes she would like it too, but she is sure they will not run the lines through for them. Chip Elwood asked why they need to have permission to run the lines through Town and added that any company that wants a contract for fifteen years there is something sneaky going on. Sharon asked April if she was recording this and she said yes, Sharon then read the Agreement aloud:

**"In the matter of granting cable television franchise held by Time Warner Cable Northeast Policy in the Town of Taylor. An application has been duly made to the Board of the Town of Taylor by Time Warner Cable I a limited liability company organized and existing in good standing under the Laws of the State of Delaware doing business at 120 Plaza Drive Suite D, Vestal New York for approval of initial agreement for Time Warner Cable's television franchise for fifteen years commencing with**

**the date of approval by the Public Service Commission. The franchise renewal cable agreement would bring the franchise into conformity with certain provisions of Federal Cable Patient Policy of 1984 as amended through certain court rulings.”**

Sharon said it looks like they want the time and date of the Public Hearing was held and said that it goes on to say:

**“Time Warner has substantially replied with the materials, terms and conditions of its existing franchise with applicable Law and Time Warner Cable has financial, legal and technological ability to provide these services, facilitated and set forth in this proposal. See attached Time Warner Cable will reasonably meet the future cable related community needs and interest taking into account the costs and such of meeting such needs and interest.”**

Sharon said she would assume after reading this that when we say “We up at home would like the ability to have it” this Agreement would come into factor: taking into account the costs of meeting such needs and interest. Then Time Warner will say it costs too much to run a line up through to them just like Frontier did for many years. Sharon said it goes on to say:

**“Be it further resolved that the Board of the Town of Taylor hereby grant the cable television franchise Time Warner Cable commencing fifteen years from date of approval by the Public Service Commission, this Agreement will expires fifteen years hence”**

Chip asked how long the last contract was for and April said she didn't think it could be for fifteen years. Sharon said she did not know exact times but was sure it came through when David Fuller was Supervisor. Sharon did not think it was for fifteen years and Nancy agreed that yes they did come through when David was here. Riley joined the Public Hearing at this time and Sharon said he had read this over many times, any questions were directed to him. Sharon said that if Riley cannot answer the questions she will try to get an answer. Riley started by saying it was a standard contract and it is the same thing the Board signed fifteen years ago. Sharon and April asked if it was for fifteen years and Riley replied yes we did. He said this contract gives them permission to park their trucks on the side of the roads to work on cable and stuff like that. This Agreement ensures that the Board will not yell at them for it. Chip added that they are county highways so we should be alright and Riley said that Factory Drive is a Town road, this applies to the small Town roads that they have installed cable on. Riley added that Factory Drive may be the only one there was a small discussion that included Whitney Road. Chip said it sounds like they have it locked up so that if any other company came around they could not infringe on this territory, Riley said no, he did not believe so. April said that Frontier still has access to the area and customers are free to switch between frontier and Time Warner. Sharon agreed saying Frontier is here already and Chip stated that they don't offer television and Riley and April pointed out that they do but it is a bundle package with the Satellite providers (Direct TV or Dish Network). Sharon said that Jeff did see this and his comment was that the agreement is very cut and dry, there is not too much we can do about it. She wasn't sure that Jeff would make it tonight because he has a bad headache. Riley said it is a lot of mumbo jumbo that will give you a headache when you try to read it and he had to go through it 3 times. Beth suggested asking them for something in return for signing the Agreement and Sharon said it doesn't cost us anything. Chip agreed that before we sign the contract with them for fifteen years now was the time to request something form them. April asked Sharon if it was possible to ask them to provide service to more of the Town's residents, that is a big clause “reasonably and if costs are warranted”. She added that it is a long time to sign a contract for without promise of more availability to residents. Sharon said she did not think it would do us any good, but we could ask them and wrote down that question. Beth said she feels it doesn't matter what company it is we are stuck and they can do

whatever they want to us and talked about new added charges for each receiver through Frontier. Riley added that it is a big cost to run these lines and it is up in the air as to whether they will get that money back, it all depends on how many houses they would pick up as customers. Sharon also wrote down the question of running more lines through the Town making their services more available. Riley said that he thought they charged \$10.00 for each receiver and April said yes and now they charge \$8.00 for the rental of the modem as well. Sharon asked if there was any more questions than the one proposed. 1- Can be lines be run to provide more service to the residents of the Town to receive it? Beth said the only other question she had was the length of time but felt if we already signed it for fifteen years then she understands. Riley pointed out that this contract will carry over to any company that should buy out Time Warner over the next fifteen years; it will automatically roll over with them. He pointed out that Time Warner has only been here 5-6 years and before that we had Odyssey as our cable and this Agreement just carried over through the switch. Riley said every time there was a switch in companies it just carried over and it states in this Agreement that should Time Warner be bought out this Agreement will automatically transfer to new provide with same terms. Riley said that would be something we could change and Sharon asked what he meant. Riley explained that we should change it to say that this Agreement is only valid as long as Time Warner is the provider, if a new company comes in this Agreement is voided and a new one will have to be negotiated and signed. Sharon agreed and wrote that down to discuss with Steve/Time Warner. Riley said if it has already changed twice in fifteen years and Marie Peri added that she was thinking it was 3 times, then we can only guess how many times it could change in the next fifteen years. Sharon wrote down and read aloud-If business is sold contract will not be automatically transferred to the next company, franchise stays with Time Warner only. Riley agreed and said that was the only thing he had an issue with and would like to see changed. He added that Time Warner was able to come and do what they wanted because they already had a franchise agreement with us, they rolled right through and there was nothing we could do about it. At this point Nancy asked if she could ask a question and Sharon said sure. Nancy asked "Whose bright idea was it to put that on there without having a lock on that door so you can get in that door?" ; pointing to the panic bar recently installed on Rollan's door. Sharon answered that" it was the purpose for one of those doors" and Nancy said "it is not the purpose, any school or any place that has a bar also has a lock on the door. Now every time he has court he has to come in the front door and prop open the other one for the cops to come in." Sharon said "They can come in that door"; pointing to the front door by Clerk's Office. Nancy said "If you remember when we had a." Sharon interrupted and said "Wait a minute you cannot do that at this meeting Nancy, we will bring that up at the next meeting. This is just for the Cable Agreement." She asked Nancy if that was okay and said we would be sure to bring it up. Everyone chatted while waiting for Board meeting to get started. Sharon closed the Public Hearing.

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

Present were:	Supervisor:	Steve Breneman
	Deputy Supervisor:	Sharon Eltz
	Councilmen:	Nancy Elwood
		Riley Closson
	Highway Superintendent:	Jim Smith
	Clerk:	April Law
	Planning Board Chair:	Kathryn Elwood
	Accountant:	Debbie Fisher
	Dog Warden:	Chip Elwood
	Code Officer:	Mike Andersen

Absent was: Councilman: Jeff Smith

Also present were: Town Historian Beth Hummel, Marie Peri, Kim Hayden, Elijah Closson and Legislator David Fuller.

**PUBLIC COMMENT:**

Beth Hummel presented some pictures to the Board of Hawley (sp?) cemetery that showed the metal fencing is piled on the ground and a lot of broken tombstones leaned up against a tree. Sharon asked where this cemetery was located and Beth replied that it was behind Ellie Durand's house and Sharon said ok, she seemed to know where she was talking about now. Beth felt the Board should be aware of these and doesn't want anyone to take off with the gates. She pointed out the gates looked very old and appeared to be heavy and metal, which someone could take them and should be stored somewhere until they are able to put them back up, Nancy agreed. Beth then pointed out the tombstones broken off leaning against the tree and feels it's a shame to lose these. Sharon asked her what she thought the Town should do with them, store them, and put them back up. Beth said she was hoping that the Town could store them here or up to the Highway garage. Sharon said "unless you are going to do something with it, what's the purpose?" and Beth replied they are "hoping to put them back up, we don't know." Beth told the Board that it was discussed at a recent Historical meeting and they would like to put them back up. They have discussed cleaning up the cemetery and possibly putting the stones back where they belong if they can find where they go. Beth added that they just don't want them to disappear and end up in someone's garden and as the Historian she was to make the Board aware of it, so she has. Sharon said ok and Kathryn asked Beth if she had been up McKee road, to which Beth said No and Kathryn suggested that she might want to go up there. Beth asked her what was up there and Kathryn replied a cemetery. Nancy asked if there was a fence up there and Steve said he did not think there was a fence at that cemetery. Chip said that it hardly distinguishable anymore and Beth said "if they are abandoned I thought they were the Town's responsibility". There was a short discussion as to who might be buried there and Sharon asked Jim if they take care of that or ever have and Jim said in the 14 years he has been here they have never done anything with it. Sharon added that the only cemetery we have ever done anything with was Potter Hill cemetery and Jean Bush use to take care of that, the one over by Ellie Durand's. Jim said they do maintain the one on MacRae place and the one on Cheningo Solon Swamp, by the CC camp and Sharon said okay. Marie pointed out that they only do the mowing and asked Jim if that was right, he said yes what else is there to do, and everyone agreed that was the only thing to do, but Jim added that he has put flags up.

Prior to the meeting the Board read copies of the minutes

Steve said he saw one correction that needs to be made and April asked what it was. He pointed out that Accountant Debbie Fisher was listed as present at previous Board meeting and she was not. April pointed out that she was listed under the absent column and Steve laughed saying "I'm sorry, the minutes were great." Steve joked saying he was wrong and April was right. April laughed saying Debbie has been absent the last few meetings and I found it hard to believe I would put her in the present column.

**MOTION:** "Accept minutes of meeting as written"

Made by Sharon Eltz, 2<sup>nd</sup> by Riley Closson

Votes Cast: Riley Closson Aye

Sharon Eltz	Aye	
Nancy Elwood	Aye	<b>carried</b>

**MOTION:** "Accept Accountant's Report as written"Made by Sharon Eltz, 2<sup>nd</sup> by Riley Closson

Votes Cast:	Riley Closson	Aye	
	Sharon Eltz	Aye	
	Nancy Elwood	Aye	<b>carried</b>

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

**MOTION:** Pay Highway vouchers for a total of \$12,454.39Made by Sharon Eltz, 2<sup>nd</sup> by Riley Closson

Votes Cast:	Riley Closson	Aye	
	Sharon Eltz	Aye	
	Nancy Elwood	Aye	<b>carried</b>

**MOTION:** Pay General Fund vouchers for a total of \$1,966.40Made by Sharon Eltz, 2<sup>nd</sup> by Riley Closson

Votes Cast:	Riley Closson	Aye	
	Sharon Eltz	Aye	
	Nancy Elwood	Aye	<b>carried</b>

Total Funds disbursed was: \$14,420.79

**INFORMATIONAL CORRESPONDENCE:**

Steve began by discussing the Time Warner Agreement and said he really didn't have much to offer on it. Sharon pointed out that she had written down a couple of questions for him to look over and see if he can get answers. Steve looked them over and said he will contact them and see if he can get answers for the next Board meeting. It was tabled for now and will be voted on next month. Riley said his big problem was the length of the contract and if Time Warner gets bought out they need to start over. Steve and April agreed saying he had a good point and Riley said other than that it was all mumbo jumbo. Steve again said he will contact her (Time Warner Representative) and we will finish it up at the next meeting. Sharon moved on to mention the Board must Appoint John Walsh to the Grievance Board, due to Wendy Blanchard resigning. Steve said he didn't get anything about John Walsh but did know that Wendy had resigned. April added that she had received the letter from Cortland that he had participated in the 8 hour training they provided on May 8, 2013.

**MOTION:** Appoint John Walsh to the Grievance BoardMade by Sharon Eltz, 2<sup>nd</sup> by Riley Closson

Votes Cast:	Riley Closson	Aye	
	Sharon Eltz	Aye	
	Nancy Elwood	Aye	<b>carried</b>

At this point Sharon said Nancy had an issue she would like to bring up and Nancy said "I was wondering why on earth there is not a way to open that door from the outside?" Steve answered right?" Mike said "According to Code once you put panic hardware on there no other locking device shall be on the door." "Because it is strictly an exit now." Nancy asked "Why is it strictly an exit?" Steve replied "Because that is what we had to do, right? and looked at code Officer Mike Andersen. Mike said "No, well you had to

put the panic hardware on there” Nancy said to Mike “Well, you can put a lock on there too” and Mike replied that “Once there is panic hardware there is to be no locking mechanism at all. That is not saying you can’t have a key lock on the outside to come in, it’s just saying you can’t have a lock on the inside. It can’t be locked.” Nancy said she understood that and Sharon added “When we put that on there was no way to put a key lock on to lock it” Mike added “No probably not, there is a panic bar that you can buy that has a lock in it” and Nancy said “That’s what we should have bought.” Mike said this type doesn’t have that and stated that Code does not say it has to have a lock on the outside. Nancy said “If you remember right he had an arraignment one night when we were having a meeting, when that happens again you want him to have the police or some bandit coming through our meeting and gallery?” Steve said “That will happen no matter what door he comes in” and Nancy replied “Not when he has to come in this door (pointing to Clerk’s door) and go and prop that one open (pointing to Rollan’s door). That is the door that the Police and people usually come in.” Sharon said “He can put a sign on that door (Rollan’s) saying Entrance down here (Clerk’s). It is not far that they would have to walk.” Nancy then said “I think it should have been looked into a little bit more before we just slapped them on there like that.” Sharon told her “we sent out and ordered the panic bar because you brought up safety concerns at another meeting” Nancy said “Yes, but there are several kinds am I right Mike?” and Mike said “Oh yeah they can run anywhere from \$50.00 up to a couple thousand dollars.” Marie added that it was kind of uncomfortable at that meeting to have someone paraded through in shackles and everything. Nancy said “It wouldn’t have been bad that night if hadn’t had to go to the toilet” and Marie said that’s right he did and everyone chuckled.

#### **PLANNING BOARD REPORT:**

Kathryn reported that Steve had a letter in front of him that says they had a meeting and everyone was there except Grant Preston. She stated that there is a meeting tomorrow night in Cortland for the Planning Board and June 3, 2013 at 5:00 there is a meeting County Office Building, which will fulfill the 4 hour training required if needed for Planning Board members. Kathryn said she will not be here so she will not be attending. The June 3 meeting has a fee of \$5.00 a person and Steve asked jokingly it comes out of the Planning Board budget and Kathryn said she was wondering why it couldn’t. Steve answered he didn’t know why it shouldn’t and Kathryn said she would look into. Steve joked that Kathryn being President should pay the fees and she laughed saying she isn’t going to be there why she should put in the \$5.00, she might put in \$1.00. Mike said for \$5.00 you get pizza, soda and juice and Kathryn said at previous meetings they never had to pay but the County is poor. Kathryn ended saying she would call Dan Dineen, about the \$5.00 charge, and find out for sure and let Sharon know. Mike said the letter he received said it was to cover the cost of the pizza, soda and juice.

At this point Steve said we need to back up a step and Sharon spoke briefly about the Personnel regulations and Policy that was given to the Board at last month’s meeting. Jeff wanted put on there that new employee’s will come in at a lower pay than the existing employee’s. Jaimie wrote this up and Sharon hopes that this allows the Board to set the hourly rate. Steve said he understands that the Town will set up the pay rate at which a new employee is hired. Riley said that he feels Jeff should be here before the Board sets any rates and Sharon said she isn’t sure we want to set them right now. Steve said he thinks we need to keep them blank for right now. Sharon said she still wonders if we should have it state on there that the new employee will not come in at the same rate as the existing employee. Steve said he thought that was put in there and Sharon said no she didn’t put it in. Steve and Riley were in agreement saying that this issue does need to be spelled out. Steve said we will go back to the drawing board on that and Sharon said okay and vote on it at next meeting to which Steve agreed. Sharon said if anyone feels we should put the hourly rate in now we can do this at the next meeting because we did talk about new employees being on a probationary period. They talked about new employee would start

out at a rate for 6 months and after that time he would be bumped up to a little bit higher rate. Riley clarified what Sharon said and agreed with the probation period/rate change.

#### **HIGHWAY REPORT:**

Jim began by telling the Board that our switch to Time Warner cable for telephone/internet services is not compatible with the Town's fire alarm. When the power goes out we have no protection. Steve asked him what Time Warner did different that affected it. Jim replied that the phone is ran through the modem and when the electricity goes out it shuts down the modem, and we have no phone. It can't dial into Cortland and said he didn't know what it would do to the Town's Insurance rate. Chip asked him if it was still tied in to the phone line and Jim said yes, but the phone line is tied into electricity and with Time Warner when the power goes out you have no phone line. Jim stated that the last time the power went out they never notified him until the power was back on and in all that time if something had happened up there you wouldn't be protected. Chip asked Jim about the Fire alarm hooked up outside and Jim said that it was not connected anymore. They had the whole thing taken out when the new system was put in. Sharon asked him how it was hooked before and Jim explained the phone line we had before had a generator backup so if the power went out you still had a phone. Jim said the old phones wouldn't have been affected because they are not digital phone. Steve asked him if 911 calls him every time the power comes back on and Jim said yes they use to call when the power goes out. Jim pointed out that a few years ago when the power went out for 3 or 4 days we would be without protection as long as the power is out. Chip pointed out that if you look at Linklaen, they will tell you anything can happen at any time and we better look into that. Chip said there has to be a battery backup and Jim said there is one but you have to have a phone line to send it through. Jim again said the phone line is absolutely dead when the power goes out. Sharon asked Jim if a generator backup would solve the problem and Riley said it would have to be an automatic generator backup. Sharon asked him if the generator that was at Earl Gates' would be big enough for backup and Jim said that it was plenty big enough. Jim said that Linklaen has one that runs on propane and Sharon said we may have to go that way if Time Warner can't do anything about it. Sharon said for Insurance purposes we have to get it taken care of somehow and April added that when she switched to Time Warner they did stress to me that when the power goes out you can't even call 911. Chip asked the Board what it would cost to just have Frontier run the phone line only and Steve said he wasn't sure Frontier wanted to deal with us. There was a brief discussion as to an automatic generator being mandatory in this case and Riley agreed that was the best bet and better money spent. Riley said he knows someone to ask about it and will try to get the problem solved. Steve asked Jim if there was anything else and Jim said everything was going fine and stone was all hauled in and they will be getting the flail mower May 30<sup>th</sup>. He stated that their guy will run the mower because of Insurance problems, but Jim will be sure to tell them what roads to do. Jim spoke briefly about a problem with the beavers jamming up water and said they got a 30 inch pipe and drilled holes, then put a cone on the end and they are going to take it up next week and slide it in and see if that will stop them. Mitchell, Jim's son, works for DEC and said they did this a couple years ago and the beavers can't figure out how to plug those up.

#### **DOG WARDEN REPORT:**

Chip began by saying he came to the meeting after reading the minutes and seeing some people made some comments and he would like to know what he is supposed to be doing. He said that first off his computer went dead so he lost everything he had or had done. He said that everything he has reported up until now the Board is the only one who has it because he lost it all. The next issue was when he did the dog census last year he worked together with April and he sent out letters and went door to door. He said the last he knew there was only a few dogs that needed to be licensed and gave a report before Christmas that said that. He said again he does not have a copy because his computer died but he hopes

they can recover that information off from it. Chip said when he came into this he didn't know what he was doing and April does all the licensing and what not and he has no idea who has come in and who has not. He said if there are dogs that aren't licensed then Chip and April need to get together to discuss this and said he had no idea there were dogs still unlicensed. Steve asked April if that was the big paper she printed out and April said no the big paper printed out was all the dogs licensed in the Town of Taylor, but she knows she gave a list to Chip that had the overdue dogs on it. April then added the biggest problem we come into is the dogs found on the enumeration and Chip said the what, again April said the enumeration. She then gave the example of a trailer on Cheningo Solon Pond Road that Chip and April had spoken about a couple of times. They have several dogs and April said to Chip back then that they had not come into license them and you said that they lied to you and said they licensed them. April said she told Chip then to go back and see what name the dogs were licensed under and I would look it up. I specifically said that if they were in the girlfriend's name I would need to know what her name is so I could look it up and Chip answered that he did remember that. Chip replied that he has been there twice and no one is ever home. He then stated that he has had complaints about these dogs going onto other people's property and tearing up garbage but under Dog laws they need to write a letter to the dog owner requesting they stay off the property and said he just went through this with the Marturano's. April said that is fine but they have 4 or 5 dogs that are not licensed and Chip asked her if that was the only ones and she said no. She then pointed to Mike Andersen and said that he had recently spoke of a house he and stopped at, who was on the enumeration with the last name Shoemaker, with several dogs running all over. Chip asked who and where was this and April responded Shoemaker, they were on the enumeration sheet. Nancy asked Chip if that was where Wanda use to live and he said maybe it is. Nancy said the other day when she was on her way to work she noticed the garbage destroyed all over and a dog standing in the middle of it. Chip asked where she was speaking of and she said right up around the corner here and Chip replied that was their own dog. April said she knows of one person's name on the overdue list she gave to Chip before Christmas and she has not seen her in here or been ticketed. Chip asked her who she was referring to and April responded Upton, Danielle Upton who actually has a kennel license. Chip said he had never been told this and April said really Chip? Chip said that he needs to get an updated list that tells him who has not been in to license their dog. April said I know but I have given you that list several times and Chip said he does not have it. Marie asked if Danielle Upton was even around here anymore and April answered yes she is. At this point Sharon suggested at the beginning of the month sending Chip an Email that lists all overdue dogs. If any come in a do license them follow up by sending him an Email with that list also. Sharon said she does not care if it is the same list over and over just once a month, send the list to him. She said after the first list it shouldn't be the same because as of right now he just goes and issues summons, no warnings or anything at this point. Sharon said it is almost time to license dogs and redo the enumeration for another year. Sharon asked if that would work and Chip answered certainly and she asked if he wanted it Emailed or if he wanted to pick it up. Chip said he would prefer it emailed, it will be much easier. Chip added that something he found out yesterday was that there is way more to this dog warden thing than anyone knows about. The Board agreed that they are sure it is and Steve said that a mailman got bit by a dog in the Town of Taylor. Chip said the Sherriff's office got called and they called Chip to tell him that he is supposed to go do this and Steve asked do what? Chip answered he is supposed to go do the report and he had no knowledge of that whatsoever. Steve asked why wouldn't that be a Sherriff thing and Chip said the Sherriff goes because they got the call but Chip has to also go and determine whether it is a dangerous dog. Chip said the dog was small and he wasn't sure what the mailman was doing out of his car and Steve said that was going through his mind, he has never seen the mailman get out of his car. Chip said well they do but bottom line is he had no idea of this. He then said he has gone to Country Acres because he had to take a dog from Cincinnatus up there and he spoke with a woman out there who gave him a whole bunch of information. He feels there is a lot more to this job



than anyone understands and has a pamphlet from another Town to look at that can kind of give us somewhere to go. Steve said he would support anything that would make it better and Riley agreed easier is better. Steve added that nobody was doing the job of any account and Cincinnatus was also having hard time finding a dog warden since the last guy died. Nancy asked how many dogs we have licensed in the Town and April without figures in front of her said she would guess around 180. Marie said that when she was Clerk they were at 220 and April made the joke that we "lost" a lot of dogs this year and Chip laughed saying yeah. Chip added that people all of a sudden had a lot of deceased dogs and April agreed saying high mortality rate. Sharon brought up one case that we were speaking of where they had 9 dogs but come time for renewal most of them were dead. Chip said he knew he we were referring to and had recently been at that residence and they were building a new dog house but he never saw 1 dog the whole time he was there. Sharon said all of the dogs use to be tied up outside and last time she counted them there was 8-10 of them. Sharon said Chip had mentioned Business Cards and Chip said he thinks he should have something with his name and number on it to leave in doors if property owners are gone. That lets them know he was there and how to contact Chip upon their arrival home. Sharon said go ahead and get them made up then submit a voucher to the Town and Steve said throw a big badge on there too and make it official. Sharon joked and said Steve has a badge they made for him and he said he still has it somewhere. Nancy asked where the badge was that Lynch used and April laughed. Sharon said she didn't know he had a badge and April said I think she was trying to make a joke.

#### **CODE ENFORCEMENT:**

Mike began by saying please don't make me follow the Dog guy and everyone chuckled. He reported that the Wilkin's property has been boarded and cleaned up, somewhat. At this point Sharon said "Maybe I can stop you there" and Mike said okay And Sharon continued to say "Well maybe this is where I need to ask some questions that I have, seeing that is boarded up taken care of basically is Rollo still going to get the fines from this guy?. Mike answered "He didn't have a clue" and Sharon asked him "Should he or shouldn't he? He gave him 10 days to do it and it's been 2 months or more, it's probably been more like six months and yet, I think this guy should be paying the fine." Mike said "It was out of his hands now" and Sharon said "He didn't have any problems fining the guys who were taking care of it and fixing it up so why wouldn't he? Mike stopped her to say "All I can say is once I turn over a court appearance it is out of my hands and it is up to him whether he wants to dismiss the fine, he can go back and enforce the fine per day." Elijah Closson asked if he can go over and enforce the fine on the guy himself and Sharon asked him meaning Chris and he said yes Chris Beckwith. Sharon said "Mr. Wilkins got ahold of Chris to take care of it and do it, Chris was doing it and DEC went over there and fined him and Rollo turned around and fined them \$200.00 apiece. Which I don't think was right at all." Elijah verbally agreed and Nancy added "Yeah, but Rollo has to do what he's got to do." Sharon replied "He can throw tickets out, he throws tickets out all the time" and Nancy said "No he don't" Sharon responded "Give me a break". Nancy said "When has he ever thrown a ticket out, name me one time" Sharon said "He can dismiss something like that they were over there cleaning that up for the Town. It has been in the Town business for God knows how many years." Nancy replied "Well I don't know think he can just say well go take a hike or whatever" Sharon said "He could have dismissed those tickets" and Nancy interrupted her to say "You better talk to somebody, I don't think you guys realize what the Law is." Riley Closson said "He has dismissed tickets I got a warning for riding a four wheeler up on Calico Pond." Sharon asked "So why can't he give a warning, dismiss the ticket and give a warning?" Nancy said "He's is doing his job" and Sharon asked "What's his job?" Nancy said "If someone is brought in front of him for some reason or another he has certain" Sharon stopped her to ask "Why didn't he take care of Mr. Wilkin's 8-10 years ago. Why didn't he look at it and say we were dealing with this now? Riley added "Exactly." Nancy told her "You will just have to ask him about that but I will tell you, what are you gonna

do get blood out of a stone? Chip Elwood asked Nancy "Why blood out of a stone? That man has one heck of a good paying job and can afford the money. Nancy said "I can't tell you that" and Chip replied "He can definitely afford to be able to pay what he is supposed to pay." Marie Peri added "Since he was over there doing it for Eddie maybe he is the one who should be paying the fine." Chip agreed saying "Exactly, but correct me if I am right, didn't the Town Board or someone recommend to do this? Did somebody ask him or?" Steve responded "Wilkinson did" and Chip asked "Wasn't he recommended by the Town Board? And Nancy said "Yeah." Chip went on to say "Years ago we were trying to clean this mess up" Steve stopped him to say "I went up to get a price and he said Wilkinson already contracted him to do it. So Wilkins actually left here the night of the court hearing made it over there and Wilkins took it upon himself to do that. The Town was gonna discuss paying him to do it and then tacking it in on his Property Taxes, that's what were gonna do well see if it was legal to do. Wilkins in the meantime, well that's before Wilkins got the money to him or Bill for the materials or whatever. You know that was what? October, November? April asked "Court? That was January" and Steve said "No" and again April asked "Court? Yes it was in January of this year it was right after Christmas." Mike said "I don't remember the exact date" and Chip said "Has it been that long? and April said "It has." Chip added "I just think it's terrible they got fined. I think it's awful." Steve said "I think it's awful that DEC did it period. " All at the same time a few people said they were turned in. Mike added "From the 15<sup>th</sup> of March to the 15<sup>th</sup> of May is no burn time" and Steve said "I didn't know it." Mike said "That has been a Law for years ", and Nancy agreed by saying "Yes it has." Jim said "What about the one, burning to close to the crick? I never heard of that." And Kathryn said she hadn't either and Mike agreed saying he hadn't heard that one either. Jim said "Each one of them got 2 tickets." Mike answered "That one I didn't know about but I know the open burn ban is on." Steve Joked "I didn't know you could burn to close to a crick." Elijah said "I would think that would be a good place to burn" and Mike said "Yes, unless it's a protected stream." Chip said "I have one more question then I won't ask anymore because I wanna know the answer, When the Town Board gives a complaint to the Town Justice, he has to handle the claim. After the man didn't comply he is supposed to serve a warrant and have the man arrested and brought in here to answer for whatever penalty." Nancy stopped him and said "Okay but he hasn't done it" and Chip said "Where does it lie now, is it up to the Town Justice to keep pursuing this or is it the Town Board?" Nancy answered saying "The Town Board has to give him some kind of a thing so that he can go ahead with it. Yeah, he can't just do whatever. You guys seem to think that just because he is a Judge he should just right in the middle of anybody stuff." Chip said "The Board said he didn't do what he is supposed to do. He is in contempt of court, serve a bench warrant and have him arrested." Nancy responded "Well you guys have a complaint then write it up." Steve said "The complaint was already filed and April agreed saying "Yes it was." Nancy said "Well Rollo will have to answer that." To which Sharon asked "Can he come to meeting so he can answer some questions?" Nancy replied "He is not supposed to come to meetings." And Sharon said "That's a bunch of bull too, if he is here and something needs to be said that he shouldn't hear then he can excuse himself and go." Nancy said "He can't even put a sign on his lawn if one of you guys were running for whatever." Sharon replied "I wouldn't put a sign on my lawn for anyone that's running either. I represent the Town, this has nothing to do with signs." Nancy said "Well you can come talk to him about it and maybe you ought to bring in some of these other Judge's and stuff and talk with them too because he can't just do as well do as he damn well pleases. Just because he's a Judge doesn't mean he can do whatever he wants." At this point April said "I have to interrupt you to ask, was the Town Board supposed to do something to enforce that bench warrant. I do remember having this conversation and we were, they were told that it was dropped and you just mentioned they were supposed to do something more to enforce that." Nancy answered saying "Yeah, it is a crime against the Town not against Rollo." April said "No that is not what I'm saying" and Nancy said "You know what I'm saying." Steve added "Rollo made a ruling that he had 10 days to Board it" Nancy interrupted him and said "I will ask him about it" Steve finished saying "He had 10 days to

board/clean that up and if he didn't do it he would be in contempt of court" and Nancy said "At that time." Steve asked "Isn't that against court orders? Nancy replied "Well I will ask him about it and then he can call the people you have to call just to find out what you have to do". Steve said "Okay that's one issue; the other issue was he was in violation of the Building Codes, which the Town Board made fines back in October." Nancy said "Okay but were in violation of the Building Codes too, right here in this building." Mike made a joke saying "See why I didn't want to follow the dog guy?" everyone chuckled. Sharon said "It doesn't matter, if someone isn't doing something right you bring them into court. You can't compare that to something that has already been done." Nancy said "You might have to make up a... seeing how it's against the Town basically." Sharon said "I don't understand what she said" and Steve said "we might have to bring something else up against Mr. Wilkins, right? looking at Nancy and she replied "Yeah, something in writing." Sharon asked her "Like what?" and Nancy said "Whatever it takes." Chip then asked where the Town attorney falls in all of this and Nancy said she would like to know that too. Steve said "The reality is he's useless" and Chip agreed saying you can put that in the minutes and April joked saying so noted. Sharon said "Rollo should know if he has" Nancy interrupted her and said "I will ask Rollo about it and we will discuss it at the next meeting." Sharon said "Let Rollo come and answer the questions himself" and Nancy replied "He probably will but you probably won't like the answers." Sharon said "So what, I don't like the answers you are giving me either." Nancy said "Well I'm not the Law." Elijah asked if Rollo was on the Board and Nancy said No he's not. April said she was not trying to take sides but feels someone in the middle can't answer the questions. If we want Rolland here I think we should request that he attend the next Board meeting. I don't think it's real good to have someone running back and forth, that's how things get misconstrued, not to offend anyone. I also said this a couple months ago with a Dog Warden and Supervisor thing, too many people make for confusion. So my suggestion is that the Board ask Rolland to come to the next meeting to answer all questions they have. Steve said he would email him and Nancy said she would also tell him when he got home. Steve said Clerk's report and then it was brought to light that Mike wasn't done and had only got one sentence out earlier everyone laughed and moved on. Mike said met with James McCoy up on Taylor Valley road and the guy has no clue. Steve asked him if this was where they just surveyed and Mike said yeah it's going cost the man about \$15,000.00 to bring electric in there and Steve wasn't surprised. Mike said the guy wants Mike to tell him where to put everything and that is not his job. There was a small discussion as to where the property is located and Steve said they just painted a tree stump. Mike said he met with Gonzales who is building a house on Taylor Valley. He had nice detailed plans and has also asked Mike a lot of questions as to how to do it. He has sent some letters out to property owners to get it cleaned up. Marge Parks filed a complaint about a trailer with garbage near her and they are getting a dumpster. Another property took all the sofas, garbage and such and burnt it all. Mike said it was a good thing Dec didn't happen to drive by, but it's gone. He has another one right up the road but so far they haven't done anything. Mike said he received a phone call from Nancy Bauer about the race track opening this weekend and wanted to know why Mike was allowing it. He told her it had nothing to do with him but she said the last Code Officer had 2 sheets of stuff he was supposed to do before opening but Mike can't find anything like that. He doesn't have any building or fences so there are no permits needed. He has contacted the State as well as DEC and they have given Bryce Wehner a list of things to do but even if he doesn't do them it is not Mike's problem. Camping trailers has to be 50 or more, constituting 60+ hours a year to be in violation. % Trailers brought in for one event would be at the limit but she said Larry Wilcox had this list of stuff which can't be found. April said she had also called her and asked if the Town Board had received a copy of his Insurance and did we require that Steve and Sharon said when this all started they do believe they requested a copy of his Insurance. Steve said he had a question regarding well septic permits recently given out Cortland County. Do we have to have well/septic permits for every Building Permit and Mike said not necessarily. They only require proof of septic/well permits if they are adding on bedrooms or living space. Steve said it only applies to new homes and Mike said any addition

new or old. If you own a 2 bedroom home with 100 leech filed with an 800 gallon septic tank and add on 2 bedrooms you can't do that. You have to go back to the County and see how much leech field is now needed. County Health Department has to match the bedrooms but if they come to us for a Permit Mike will have to contact the County to find out how much is needed. Chip asked if the camper rule applied everywhere and Mike said that rule is statewide. Chip said they have 5 or 6 of them sitting up on Jordan road and have been there for a few years, they haven't moved. Mike said that would be DEC or environmental that would deal with that.

**CLERK'S REPORT:**

April began by presenting a letter from DEC that she received saying that come August 1, 2013 they will be taking back all of their equipment currently used to sell hunting licenses. We as a Town will be required to replace all of the equipment if we want to keep selling them we would need to buy the computer, ACELA program, modem, receipt machine, License printer and Bar Scanner at a cost of between \$2250.00 and \$2500.00. I was approached and asked if we could tie it into the existing computer we have for Town business. I called DEC and they said absolutely not, it must be on its own system and database. Steve and I sat down and did some figuring and we found we don't make enough selling hunting license to warrant that cost out of pocket. Our calculations showed 26 years before it would pay off the required expense. As an example last month I sold \$509.97 and the Town got a commission of \$12.00. Chip asked why they are taking the computers back and April told him that DEC is switching programs and these computers are outdated and can't handle the new licensing program. Jim said taking 25 years to pay it off, that computer will be outdated a few times. Steve and April agreed saying they had thought of that too. Even if we go out and buy the top of the line computer it will be outdated 3 or 4 times in 26 years. April told DEC that we don't make enough money selling license to warrant this and they said they understood that this might affect our ability to sell them, they really weren't concerned. Steve said the Board needs to make a decision and he said it is a nice convenience for everyone to be able to come in here and get them but he would tell DEC to stick it in their ear. April suggested running a Legal Notice in the paper but knows the Jersey guys won't see it and acknowledges that we will deal with some backlash. Chip asked if this was something that had to go before the public and April said No, but it did have to go before the Town Board. They requested a Resolution but Steve said he would just send them a letter and tell them to come get their equipment. Chip suggested calling Senator Seward to see if there was anything he could do to help and April said she would provide copies. Steve said you pick your fights and he doesn't feel this is worth fighting about and Sharon asked if we were done with them. April said we will be done with them as of August 1, 2013, they will come get their equipment and we were supposed to have made a decision by that point as to whether we were going to maintain selling licenses. Sharon felt they didn't give us much notice and April said the date on the letter was April 9, 2013. April actually received 2 letters, one stating that new training was required to sell licenses with the new program. When the next letter came I expected it to be the training dates but it was this letter stating that they were taking the stuff back. April said she figured out since January 1, 2012 when she took office, up to last month's Clerk report we had sold 149 paying hunting licenses. We do have a lot of guys that come in with lifetime licenses but they do not pay for them but that doesn't contribute towards payoff. She said of the \$509.97 sold last month \$380.00 was to one person who bought their child a lifetime license. Steve said he would compose a letter to send them

MOTION: Discontinue selling Hunting Licenses

Made by Riley Closson, 2<sup>nd</sup> by Sharon Eltz

Votes Cast:	Riley Closson	Aye	
	Sharon Eltz	Aye	
	Nancy Elwood	Aye	<b>carried</b>

Steve specifically asked Nancy if she was in agreement to discontinue hunting licenses and she said if April is, I am. April said I do understand it will be an inconvenience to a lot of people but don't feel it is worth it in the long run. It will make her life a little more difficult this year but she has strong shoulders. April said she had one other issue she would like to address and Steve said to bring it before the Board. She began by saying she has received some complaints about the people next door using this driveway as their own, parking and pulling in and out. We have had a couple issues where people have been pulling out of ours and she is pulling in our driveway to get to theirs and they have almost been hit. Last week they left their truck parked in our parking lot all week and we were open 2 of those days. April pointed out that it is an inconvenience to people because after I have parked my vehicle, the front two are to be left for handicapped and if anyone parks on the other side of my vehicle the rest of the driveway is inaccessible. Someone brought to light that if someone were to back up while leaving and hit their vehicle that person is now liable which is unfair. This vehicle should not be there and it is Town property and Doug Connor told April there was an incident several years ago at the Highway Garage where the people were parking there vehicles in the parking lot and Jim or Roy hit them on accident and the Town was liable. Jim nodded his head in agreement that it had happened. April presented a letter kindly requesting that they stop using our parking lot especially on the days we are open for their own purposes that she had drafted up and asked they look it over and see if it was acceptable. April said that she was going to send it signed herself but Steve suggested running it by the Board. April said she didn't know if we could ask them nicely via Jim or Roy, she wasn't sure. Steve said seeing as you are neighbors with them wouldn't it be better if I signed it. April said fine and Sharon, Riley and Steve were all in agreement saying it should not come from her. April pointed out the reason her name was on there was because she was the one who was going to originally mail it before talking to Steve. Sharon said she wasn't so sure but maybe we should add that if they fail to comply and Nancy joked saying we will chop their legs off and Sharon added that we will tow it away. Riley agreed saying it should be added and April said it is just common courtesy to not use other people's property like your own. Marie said she didn't think we needed to have the dates on there when the vehicle was left here but April said that was on their only as an example of when and where. Riley agreed saying that it should come from the Board and we will tow the vehicle if they leave it here. Steve agreed that it does choke up the driveway too much and should it be from the Board, they said yes from the Town Board with Steve's signature. April then reported that she did not have Tax Collections check to write because Alliance Bank has not sent them to her and she ordered them twice. April reported that she has not been thrilled with them lately and they seem to not know what is going on when contacting them with an issue. She has contacted them about it and they are looking for them or will order another set but as of tonight's meeting there were no checks to write. April then reported that she sold \$522.00 in hunting licenses leaving the Town \$12.03 and they will automatically deduct \$509.97 on or about May 14, 2013. We had one building permit for Gonzalez on Taylor Valley Road for \$225.00 a check was written to Steve for \$237.03. April reported a slow month on Tax Collection and most of the money taken in was people finishing up payment plans, she took in \$14,207.97, of that \$226.24 was interest. When checks come in Steve will get a check for \$226.24 and April will send a check to Cortland County for \$35,000.00, total funds disbursed was \$35,226.24. She has sent out overdue letters and will be accepting Taxes until the end the month and then she will be making an appointment to settle with the Treasurer's Office and then will be done Property Taxes for this year. Steve asked what she was going to do if she didn't have checks and she stated she better have checks by June 10, 2013 or she would have the bank print some up. April said that was all she had for this month. Sharon asked Mike if we had done anything about sending bills to the people that we have hung warning signs on their property. Mike said he didn't think he wasn't sure what he Board had decided price wise as to what to charge and Sharon thought it was \$20.00 a sign. Mike said he hadn't done any bills to people but had only posted a couple properties since then. Mike

said what we should do is have a letter drawn up that says what the sign is for and how much it costs. Sharon suggested Mike team up with April and draft up a letter like that and Mike said sure thing. Steve asked David Fuller if he had anything to add and David passed out some flyers that pertained to a Dental Supplemental Insurance. It is not insurance, but is a program available for \$2.00 a day and gets you a discount at dentists. If you don't have Insurance you can get this and get the insurance rate for dental work. David left some extras for April to hand out at the office and Steve asked if it was available to all County residents. David said it is for everyone not just County residents you can go anywhere including Florida. Sharon asked how you know what their plan runs on and David said prices are online. David said if you have Insurance they are going to give your Insurance Company the rate this card offers. Some Insurance Companies don't cover dentures but this would cover it and lower the rate. April added that it was a supplemental to your Insurance, greatly helping to reduce costs.

**MOTION:** Adjourn the meeting was made by Sharon Eltz and 2nd by Nancy Elwood....**carried**

Respectfully Submitted,

April D. Law  
Town Clerk