

February 12, 2013

The monthly meeting was held at 7 PM in 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 Superintendent:	Jim Smith
	Planning Board Chair:	Kathryn Elwood
Absent was:	Dog Warden:	Chip Elwood
	Accountant:	Debbie Fisher

Also present was: Historian Beth Hummel and Legislator David Fuller.

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

PUBLIC COMMENT:

David Fuller addressed the Board and told them that Cortland County has received a grant for 6 million dollars to aid in upgrading security on the Radio Towers. One of the reasons Cortland was eligible was because they can make the Communication Towers Interoperable throughout the State. He says it will broaden the range of the radios and be able to communicate with radios that are going down highway 81 & Southern part of New York. This upgrade will help the Police and Fire radios to reach a broader range and will also make it incipherable (sp?) for ex: If you go to Radio Shack & get a scanner to listen to the channel you can be arrested. He said that 1.1 million will be put towards these upgrades and the remaining 4.9 million will be applied towards the money owed on equipment and the lease of the property. The Towers are bonded for 3 million and cannot be paid off until late 2020's. He then commented on the changes to the gun laws, "Safe Act", in Cortland County and said that changes are coming and handed out a paper to the Board for them to review about the new rules. He stated that there are many reactions from all sides. He told the Board that Oswego has done away with the Law and will not enforce it and Yates County threw it out saying that it was passed in the middle of the night, which they did not agree with and felt it needed to be thrown on that alone. David stated that Senator Seward and Finch have both voted against these new laws and urged the Board to look into it further as whether to support it or not. There are a lot of Organizations are sending Resolutions against the "Safe Act" and David said it is up to the Board as to what road they wanted to go down. He then added that they have had some Cities send in their support for the "Safe Act" and Steve asked if it was Cities around here or the bigger cities down State to which David nodded towards New York City area and Steve said he was not surprised. David asked for any questions and thanked the Board for their time.

Prior to the meeting, The Board read copies of the minutes.

MOTION: "Accept minutes of meeting as written"

Made by Sharon Eltz, 2nd by Jeff Smith

Votes Cast:	Riley Closson	Aye
	Jeff Smith	Aye

Nancy Elwood Aye **carried**

MOTION: "Accept Accountant's report as presented"

Made by Sharon Eltz, 2nd by Jeff Smith

Votes cast:	Riley Closson	Aye	
	Jeff Smith	Aye	
	Nancy Elwood	Aye	carried

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

MOTION: Pay Highway Fund Vouchers for a Total of: **\$17,084.65**

Made by Sharon Eltz, 2nd by Jeff Smith

Votes cast:	Riley Closson	Aye	
	Jeff Smith	Aye	
	Nancy Elwood	Aye	carried

MOTION: Pay Fire District Voucher for a Total of: **\$36,143.00**

Made by Sharon Eltz, 2nd by Jeff Smith

Votes cast:	Riley Closson	Aye	
	Jeff Smith	Aye	
	Nancy Elwood	Aye	carried

MOTION: Pay General Fund Vouchers for a Total of: **\$2,563.07**

Made by Sharon Eltz, 2nd by Jeff Smith

Votes cast:	Riley Closson	Aye	
	Jeff Smith	Aye	
	Nancy Elwood	Aye	carried

Total Funds disbursed was: **\$55,790.72**

INFORMATIONAL CORRESPONDENCE:

Steve has called Frontier concerning our account and found out that the early cancellation fee is \$700.00. They explained that \$300.00 was a cancellation fee but the other \$400.00 is to cover the cost of the laptop that was given to us when starting with Frontier. Steve said we had Frontier here to fix a phone issue and he discussed this with him and the technician said he would get that handled, about a week later he was up at Steve's and he asked how we made out to which Steve replied they never called me. Frontier then provided us with some new figures which showed a charge of \$30.00 for backup file fees which slid the bill up to over \$200.00. There new pricing is \$149.00 a month plus taxes which runs about \$170.00 a month. Steve has received a quote from Time Warner Cable, for the same thing, that says they will provide us internet/telephone service for \$119.00 a month plus Taxes. Jeff asked when the current contract runs out and Steve said we have another year left and Sharon asked if we had figured out whether we would come out ahead. Riley asked if they would take the laptop back and Steve laughed saying he already tried that, we keep it. Sharon said in the long run we are only out the \$300.00 because we have the laptop and Steve asked if \$400.00 was a decent price for a laptop to which everyone said yes, they vary in price. Steve pointed out that when we first started with Frontier it was supposed to be a bill of \$130.00 a month and slowly it went up with no explanation why until now when we decided to drop them. Steve also said he is going to ask the Cincinnati Town guys how they get free television to check the weather because the technician did not know how to do it. Jeff added if not for any other reason we should switch for the principal. After a small discussion the Board agreed the

money we would be saving with a switch would cover the early cancellation fee and the Board had no problem with the switch.

MOTION: Drop Frontier as our Internet/Telephone provider and Switch to Time Warner Cable

Made by Sharon Eltz, 2nd by Jeff Smith

Votes cast:	Riley Closson	Aye	
	Jeff Smith	Aye	
	Nancy Elwood	Aye	carried

Steve spoke briefly about the “Safe Act” law that David Fuller had earlier presented. Jeff added that he felt this was a knee jerk reaction to a terrible thing and this kind of thing will take years to put into effect. Steve asked if this was done legally and David Fuller agreed certain measures should have been taken. The Board agreed they were not for this Law and agreed to support the Resolution against the “Safe Act”

MOTION: Accept Resolution against “Safe Act”

Made by Sharon Eltz, 2nd by Jeff Smith

Votes cast:	Riley Closson	Aye	
	Jeff Smith	Aye	
	Nancy Elwood	Aye	carried

Steve said that he had spoken with the Town’s attorney regarding the Wilkin’s property up at the stop sign. Mr. Walsh said technically they can’t enforce the arrest warrant through the State Troopers and suggested that we add the fines onto his property taxes and have the Town take the building back, take it down, and bill him for any expenses. Steve said a man by the name of Damien is going to investigate it further and get back to us. The Board asked April if Taxes were up to date and she replied yes, until this year. David Fuller added that years ago he was on the verge of losing the property and paid the Taxes at the last minute to avoid foreclosure. Sharon suggested hiring someone to board it up and billing him. The Board discussed the problem and stated that this has gone on long enough and needs to be dealt with. Mike added that with all the combustibles in the house if it caught fire it would be bad for the properties on either side. Mike also said once he has turned this over to the Judge it is out of his hands and needs to be dealt with between the Judge and Attorney. There is an indiscrepancy concerning the warrant and Mike doesn’t understand why they won’t enforce it. Sharon said that after speaking with Rolland the State Troopers would not enforce it but the Sherriff said they would if the Town paid because it was out of the County. Nancy said she was there when they brought the warrant back and said the Supervisor told them it was not enforceable. Steve brought up the point, what is the sense of having Town Laws if we can’t enforce them? It clearly says \$100.00 a day fine or jail time of 15 days. April joked she should have called the police the night he drove across our lawn the night of court. Steve presented the Board with a Thank You card from Taylor Historical Society for the \$50.00 donation and donation of space for storing records. Sharon read it aloud announcing some presentations that are coming up about barns and underground railroads that people may find interesting. These will be held at the Heritage Hall in Cincinnati one in May and the other in June. Steve moved on to address the situation with highway garage employee Norm Durand and asked the Board where we stand. Nancy said he went to the Doctor last week and they are making him a back brace or something. Jim stated that he went out on disability on August 23, 2012 and now is talking of surgery/hospitalization in April. Jim said he spoke with his brother in law and they are talking about surgery but Jim didn’t know any more than that. Sharon asked if the Insurance Company would let us know when he was done and Steve said it does not work that way. Sharon wants to know how long we have to carry his Insurance and suggested

someone approach Norm for his thought on the future. Steve said he would take someone with him to talk to Norm and find out what the Doctor has said and when he thinks he might return to work. Steve said Norm has been in rough shape for a long time but light duty is not in our job description. Nancy said she would think that disability is watching him very closely to make sure he is not lying but David Fuller said they only watch you when someone turns you in. Steve said he would also contact the Attorney and see legally how to handle this situation. Steve asked how the part-time guy is working out and Jim said that it is working out good. Jeff brought up the fact that he is there all the time and that is not what we hired him for. Jim said that he had worked 4 hours that day and gone home Jeff said if he did that would have been the first time. Jim said he did the same a couple days last week but they have been cutting ditches and working on lights. Jeff said he does not like to see 3 men driving around in the truck. Jeff added that a lot of people don't like to see 3 guys riding around in a pickup truck especially when one is supposed to be part-time. Jeff said he was just bringing it up, enough said and now you know. Sharon asked Jim if he wasn't working full-time and Jim said not all the time. Nancy added that maybe he is there visiting, just because his vehicle is there does not mean he is working. Jeff added that when he said part-time he meant it, he has driven by on sunny days and seen 3 trucks there knowing we have 3 guys in there doing basically nothing. Jeff added that the part-time guy was for plowing roads or work when we actually needed somebody. Nancy added that it was no different than her stopping to visit, people might see her vehicle but she is not getting paid. She said that sometimes people see things in a different light and not the whole picture and Jeff said he could not disagree with that. Jeff finished saying he is a part-time guy.

ACTION ITEMS:

MOTION: Accept recommended budget 2012 line item transfers

Made by Sharon Eltz, 2nd by Jeff Smith

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

MOTION: Approve transfer from General Fund to Construction & Alteration Reserve Fund of \$50,000.00

Made by Sharon Eltz, 2nd by Jeff Smith

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

MOTION: Transfer funds from Highway Fund to Equipment Reserve of \$35,000.00

Made by Sharon Eltz, 2nd by Jeff Smith

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

HIGHWAY REPORT:

Jim presented the Board with a quote from Jim Aiken to install a generator transfer panel up at the Highway Garage. It will hook up circuits decided by Jim Smith with poles and he has given a quote of \$900.00 which would include all supplies, labor and Inspection from Atlantic Inland. Jim asked Riley if he thought it sounded reasonable and Riley agreed that it was. Sharon asked if that would hook up to any

generator we wanted and Jim confirmed saying any generator we want to and has the capacity to run everything. April asked Mike if that was something he would inspect and he answered no it would need an electrical inspection and Steve added that this was out of his caliber. Jim said outside of that everything is coming together and we have another load of salt before we will need to buy more. Steve asked the Board if we were going to go any further tonight with the quote presented. Riley said he would like to see the coal boiler hooked on the generator panel because he would hate to see it go to steam, it will make a huge mess. He pointed out that if it goes too long without water and gets good and hot it will go to steam. Steve said true but asked how long he thought it would take, with the power out, to get that way and Riley answered it depends on what stage that boiler is at. If it just got done running and it is at 190 degrees and there is no pump for that water you probably have an hour. Steve was shocked and Nancy asked then what to which Riley replied it will make a huge mess for Jim to clean up. David Fuller asked if we should do the same thing up at the garage and Steve and Riley told him that is what we were discussing. The boiler here at the Town Hall is too small. Steve said he did see Riley's point and decided they did not have to make a motion on it tonight. David suggested taking it out of there Construction and Alteration Fund, Steve asked Jim if there was anything else, Jim said no and we moved on.

PLANNING BOARD:

Kathryn said that they were going to have a meeting in February but Jim suggested March as it is closer to spring. They will wait until March for any new business to have a meeting. She will report to us after that, unless something comes up before then, she will make sure Steve knows. She said April has most of her papers done but she still has another one to get to her and April replied no hurry, she will be here.

CODE ENFORCEMENT:

Mike reported that he had turned in his end of the year report and April made copies for the Board to review. Since then he has received a phone call from a resident, didn't know his name, on Hawley Woods road that is going to build a 2200 square foot building and Mike has told him everything he would need to present including Survey maps. He has also received a call from someone regarding a pavilion on Allen Hill and Mike pointed out that anything over 100 square feet is a structure so he will have to go by those codes when inspecting. Both of these projects do not plan on starting until spring. Mike reported that Parks's garage is almost done and all that remains is to pour the floor & get an electrical Inspection. Sharon said she saw they did get a permit for that so because they could use it for a garage it is not Agricultural. Mike said unless they are using it strictly to store hay it is not Agricultural, once you pull a tractor in there it is not Agricultural anymore. Sharon pointed out the garage on Burchesky Road and asked if that one was Agricultural and Mike replied no. Barry Latta contacted Mike about a Building Permit that he thought was about to expire and Mike informed him he had until middle of April to renew. They have yet to pour the floor and put in drains in front of the door. Jeff and Mike had a small discussion about drainage and how difficult or simple they can be. Mike said it only has to drain to air. Mike used his house as an example: He has drains that run into traps to run water away from doors. If you don't then the water will run towards door openings and freeze, that's where you get into problems trying to open garage doors in the winter. You can't have it drain into a dry well or anything but open air drains are acceptable. Barry also stated that they will enclose their in-ground pool with a fence come spring. Sharon asked if there was any way we could get a copy of a complete list of all permits issued last year and Mike said yes we keep it on a sheet in April's office. April said she would take care of it because she has to prepare a list to mail to Real Property in Cortland very soon.

CLERK'S REPORT:

April began by saying it was a busy month and she received \$386,652.85 in Property Taxes. Of which \$278,803.00 was paid to Steve Breneman which pays the Supervisor in full for the 2013 season. April also wrote a check to Cortland County Treasurer for \$50,000.00. We have had 40 people participate in the payment plan this year and April printed out a report for the Board to show all monies received thus far. We sold \$100.00 in hunting licenses and the DEC will automatically deduct \$94.49 on February 14, 2013 leaving the Town a commission of \$5.51. She issued 2 certified death certificates issued at \$10.00 apiece and 1 Building Permit for \$100.00. A check was issued to Steve for the amount of \$125.51. She then brought up complaints being filed that the Town Office is not open enough and she added that we were open 3 days a week all of January as well as Tax payments can be mailed. Also she brought up some complaints filed with the Town regarding the vehicles down at Aiken's property that are in the road all day. April has let people know that is in Cincinnatus and we have no control over it and she wondered what could be done because it is a nuisance, others agreed. The Board said to tell people to call the police and they should take care of it.

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

Respectfully submitted,

April D. Law
Town Clerk