

March 12, 2013

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

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

Also present were: Marie Peri, Historian Beth Hummel, Legislator David Fuller, Scott Roman-Emergency Response, and Jack Hess- Cortland County I.T.

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

**PUBLIC COMMENT:**

None

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

Sharon brought up a question with last month's minutes where there was a man named Damien referred to regarding Lawyer situation on page 3. Sharon read aloud a section where "Steve said a man named Damien would investigate it further" and she asked Steve who Damien was. Steve said he did not remember saying that name and did not know who it was, but would have to listen to the tape. April said she would have to go back and review the tape but thought it was someone helping the Lawyer in research. Steve and April said they would go back and double check the tape.

**MOTION:** Approve minutes after reviewing tape to confirm name/change minutes

Made by Sharon Eltz, 2<sup>nd</sup> by Jeff Smith

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

**MOTION:** "Accept Accountant's Report as written"

Made by Sharon Eltz, 2<sup>nd</sup> by Jeff Smith

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

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

<b>MOTION:</b> Pay Highway Vouchers for a total of:		\$8,644.26
Made by Sharon Eltz, 2 <sup>nd</sup> by Jeff Smith		
Votes Cast:	Sharon Eltz	Aye
	Riley Closson	Aye
	Nancy Elwood	Aye
		<b>carried</b>

<b>MOTION:</b> Pay General Fund Vouchers for a total of:		\$1,404.47
Made by Sharon Eltz, 2 <sup>nd</sup> by Jeff Smith		
Votes Cast:	Sharon Eltz	Aye
	Riley Closson	Aye
	Nancy Elwood	Aye
		<b>carried</b>

Total Funds disbursed was:	\$10,048.73
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### **INFORMATIONAL CORRESPONDENCE:**

Steve presented the bill for the Joint Youth Commission and it is \$124 for last year and he said it will be a lot less next year. David Fuller asked him if he had sent in for it and Steve said he gave her all the paperwork and was assuming she didn't need his signature because he never heard anything back. He recommended dissolving the Youth Commission but it didn't go over so hot, David & Steve chuckled about it. Steve then brought up some concerns with the Communication Towers agreement and said he dropped off copies to the Board telling them there were some issues. Steve had a meeting with Kevin Whitney last Friday, March 8, 2013 and 3 of the issues were easily fixable. His biggest issue was the discrepancy that the County can withhold really anything for any reason and Kevin agreed. Kevin told him to cross it out, initial it and that it they could deal with that. The other issue was the term "forgetful" Basically that covers there end, meaning that if they are late renewing the contract then they will not be nailed with fees and such. If the contract is forgotten the Contractors can raise the price way up so that it there for safety. Steve said he could live with that part but the Equipment update and Maintenance is kind of like a blank check deal. Kevin explained that if a municipality wants to update something that only benefits that municipality this section guards against that. Scott Roman gave an example that if a Town wants to put GPS on all their radios but we don't want to it would prevent us from getting stuck with those added costs. Steve and Kevin got down so far as crossing that paragraph off and Steve was happy. This morning Steve received a phone call from Kevin saying that Ed Purser (sp?), the lawyer, said no we cannot take that off it has to stay. Steve said to Kevin he knows that other Board members will have a problem with this also. Steve stated he was very upset and Kevin told him he was right, it is wrong but it is what it is. Then an hour later Kevin called Steve back to say we changed our minds and we can live with it. Then about 3 hours later he got another phone call and they are not going to accept it and that is why we had Jack Hess and Scott Roman with us this evening. Steve said it was a very bad day for him and he feels we don't have a choice because we have to have it. Jeff said there is basically nothing we can do and Steve agreed saying "they have us over a barrel". Steve said he thinks the County is wrong and said he brought up the question "If we don't go with the radios do we get our Sales Tax money back?" the answer was no and everyone laughed. Steve said his major complaint was that all of this should have been on the table at once, not piece meal and now here we are with hard feelings all the way around. Steve said again we don't have a choice we have got to do it. Steve asked the Board if they had anything to chip in and told Scott and Jack that he called David and told them to not bother coming all the way out. They replied that they were happy to come and were here representing Cortland County and Steve laughed saying they were not in a good position. They introduced themselves to the Board and explained their duties with the Tower system. They said they would rather answer questions we had rather than just sit and talk. He thinks it is a good contract and

agreed it a basic form to cover many aspects. He said there is not much they can do on their side to change the agreement because they are not authorized to do that. Steve asked him if there had been changes in other contracts and Scott answered yes, there had been modifications to certain points but not that paragraph in particular. Scott compared it to apples versus oranges and Steve joked saying yeah we are out here and they are in there and Scott said no, it has to do with volume. The City of Cortland has a bigger volume and uses more radio time so they have a bigger say. The radios will be completely different systems for police, fire, highway, etc. Scott said he was there to answer any questions the Board had but he didn't want to just sit and talk for an hour. Steve asked Jack Hess if he had anything to add and he said he is a big cheerleader for this Communication Towers. He is aware that he is not a Lawyer or and EMS but to him the essence of the system is that everyone grows more unity because it is interoperable so if we need their help or vice versa we can go back and forth via the radio system. He has read through the agreement and agreed he doesn't like it but doesn't see where there is anything in there that County couldn't do anyways. If they want to withhold money there is probably some other agreement they can fall back on to cover themselves. He doesn't think this contract allocates or gives the County any other rights that they already have. This was put in place to cover the least common denominator and would be impossible for them to issue separate contracts for every municipality and fire district. He knows this is a pain but it is not there intent to look at the contract and say "How can we jack up Taylor in this, or anybody? Jack said his expectation after working with other Counties around us is that this is based on agreements they have, it is similar language. He said he thinks we will sign this and forget about it within a year. We will use the radios and do business on them and that's all it is going to be. Scott added that it will be very simple to switch, swapping out old radios with the new ones. Steve joked and asked if Taylor will be getting there's installed first and they chuckled saying they didn't know the installation order but joked they could probably get it changed. Nancy added that was the least they could do. Jack said they are still struggling to get all the pieces and parts together for all of this and Steve said he is struggling very much with all of this. Sharon said she can't understand why it is a Communication agreement but they included snow and ice payments, they put it in the agreement that they can withhold those if they want to. She does not understand why that has anything to do with the Communication Towers. Jeff said he believed to be like a bank, you don't pay for things we are going to take this and this and Sharon asked who? Sharon pointed out that we will not be paying them and David explained it with an example: if one of our Town guys breaks a radio he will be billed for it and if the bill is not paid Cortland County will withhold that payment out of our sales tax or snow removal payments. These radios are still County property and if a radio is broken it will need to be replaced with a Motorola and you will be billed for it because you were using it. David said the County can't touch your Property tax payments and the only thing they have control over is snow/ice removal payments and sales tax money. If the Town does not pay for the replacement radio they will take it out of these funds. Nancy asked if there was Insurance on these radios to which they replied yes, on Cortland County's part but if a radio is broken it is up to that individual to replace it. Jack said the County is self-insured and Nancy said she doesn't think any of the guys would break the radios on purpose and she would hope they would have Insurance on them to replace them when broken. Jeff said the only question he had was he sees other Counties are getting grants and wondered if we missed the boat by not getting on that. David and Jack said no we have not missed the boat and are looking into options for grants to help with funding. They don't want to jinx themselves but they are trying. Scott said they are taking a cautious approach towards getting funding

MOTION: Accept Communication Towers Agreement

Made by Sharon Eltz, 2<sup>nd</sup> by Jeff Smith

Votes Cast:	Sharon Eltz	Aye
	Riley Closson	Aye

Nancy Elwood                      Aye                      **carried**

Steve wanted to mention briefly that we had some issues with the snowmobile club plowing snow up and blocking a seasonal road. He presented pictures of the road that was blocked for the Board to look at. He has called Wayne Landers who is in charge of the Snowmobile grooming and let him know that they can't do this. Steve asked Jeff when the Snowmobile Law went into effect in Taylor and Jeff wasn't sure of the exact date but knew it had been in place for quite a while. Jeff agreed with Steve that these roads must be accessible for log trucks and such to be able to get in there during winter months. Steve moved onto the problem with Frontier and told everyone that they still have a freeze on the lines and he has fought with them for a week to get it removed so that Time Warner can switch our services. Time Warner will be here on March 21, 2013 and we need to have them unfrozen for the switch over. Frontier had told Steve that the freeze was off the line but a week later it was not so he has called the Public Service Commission to file a complaint on Frontier because of this matter. Steve brought up the issue of the Town's Lawyer and suggested we look for someone else because he is not happy with the job Walsh is doing. We have called him several times about different issues and feel we don't get the answers back but do receive bills, which brought up the Wilkin's property up at the stop sign. Steve asked Mike if he had heard anything and Mike said he had spoken with the Lawyer and Walsh wants copies of when the Town of Taylor accepted NYS Codes and the Board said many years ago. The attorney told Mike he wanted copies of the Town Laws and he would be looking up NYS Codes at the library. Mike said he suggests that we have the attorney send Mr. Wilkin's a threatening letter and then gave an example on how it worked for him getting some money that was owed to him. He had his lawyer send a letter to the man and immediately he got a call saying they would pay the money owed right away. Mike pointed out that people get scared when they see a letter from a lawyer and don't want to be sued. Sharon suggested Rollan issue another warrant for his arrest but this time give it to Cortland County Sheriff and Nancy said that Rollan had already tried that, to no avail. Jeff agreed with Mike saying we just try the lawyer/letter route and see what happens.

Board broke for Executive Session regarding personnel matters

**MOTION:** Drop Norman Durand from hospitalization Insurance

Made by Sharon Eltz, 2<sup>nd</sup> by Jeff Smith

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

**MOTION:** Give Norman Durand a leave of absence until September 1, 2013

Made by Sharon Eltz, 2<sup>nd</sup> by Jeff Smith

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

**MOTION:** Keep Ray on this summer as needed not to exceed 20 hours at current wage and not to help other Towns.

Made by Sharon Eltz, 2<sup>nd</sup> by Jeff Smith

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

**CODE ENFORCEMENT REPORT:**

Mike reported that Parks garage is all done & he has closed out that building permit. He received a phone call from David Russell about inspecting a pellet stove. He went over Wednesday evening and inspected it; also making pellet stove forms for the Town Office. Sharon mentioned that Pat Johnston would like to see a dilapidated house in Union Valley posted with a sign and Mike said he would check it out and put one up.

**CLERK'S REPORT:**

April reported that this was a bit slower this month in property taxes. She issued 1 certified marriage record for a commission of \$10.00. She licensed 1 dog this month leaving \$6.00 for the Town and sent \$1.00 to Department of Ag & Markets. A check was written out of the Town account for \$16.00 to Steve. In property taxes we took in \$39,207.06 of that \$410.00 was interest to be paid out to Steve. April wrote a check to Steve for \$410.00 out of the Tax account. April sent a check for \$75,000.00 to Cortland County Treasurer's Office towards settlement in June. Copies of all reports and checks were presented to the Board.

MOTION: Adjourn meeting was made by Sharon Eltz, 2<sup>nd</sup> by Jeff Smith.....**carried**

Respectfully Submitted,

April Law  
Town Clerk

