Minutes for the September 14, 2023 Elbridge Town Board meeting, held at 5 Route 31, Jordan, New York. Supervisor Richardson called the meeting to order at 7:00 PM and led the Pledge of Allegiance.

**PRESENT:** Vernon Richardson, Supervisor

Doug Blumer, Councilor

Floyd Duger, Councilor

Todd Platten, Councilor

Mike Caron, Councilor

**RECORDING SECRETARY:** Danielle Karlik, Town Clerk

**OTHERS PRESENT**: Attorney Tim Frateschi, Codes Officer Howard Tanner, Ryan Peters

**ADOPT MINUTES:** On a motion by Councilor Duger, seconded by Councilor Caron, the minutes from August 24, 2023 were entered into record.

**COMMUNICATIONS:**

* CNY SPCA 2024 rates were sent for the 2024 contract. A brief discussion took place without a decision at this time. A call will be made to gather more information.
* Winter Wanderer’s Contract signed and sent.
* There was an update to the FEMA grant for damage during the August storm. At this point FEMA has informed municipalities there are no funds. The County limit was met, but the State limit was not.
* AIM funding has been granted.

**RESOLVED:**

On a motion by Councilor Caron, seconded by Councilor Platten, the following resolution was

ADOPTED: 5 AYES Richardson Duger Platten Blumer Caron

0 NAYS

***Resolution 101/23***

The Elbridge Town Board resolves to contract with the brokers at Brown & Brown Insurance for the 2024 budget year.

On a motion by Councilor Duger, seconded by Councilor Blumer, the following resolution was

ADOPTED: 5 AYES Richardson Duger Platten Blumer Caron

0 NAYS

***Resolution 102/23***

The Town Board of the Town of Elbridge resolves to accept the $47,443.92 estimate submitted by Carpet House for the replacement of flooring in both the Community Center, and specific designated areas in the Town Municipal building.

On a motion by Councilor Duger, seconded by Councilor Caron, the following resolution was

ADOPTED: 5 AYES Richardson Duger Platten Blumer Caron

0 NAYS

***Resolution 103/23***

The Elbridge Town Board authorizes the issuance of a Lyons Bank credit card to the Director of Recreation, with all procurement policies and approvals as set forth in the existing Town Credit Card policy.

On a motion by Supervisor Richardson, seconded by Councilor Duger, the following resolution was

ADOPTED: 5 AYES Richardson Duger Platten Blumer Caron

0 NAYS

***Resolution 104/23***

**WHEREAS**, a Local Law has been introduced before the Board, to wit: Local Law No. 2023 - 4 creating Article V of Chapter 247 (“Taxation””) to override the tax levy limit established by General Municipal Law Section 3-c (the “Property Tax Cap”);

**LOCAL LAW 2023 - 4, A LOCAL LAW AMENDING**

**CHAPTER 247 OF THE CODE OF THE TOWN OF ELBRIDGE TO CREATE A NEW ARTICLE V:**

**Be it enacted by the Town Board of the Town of Elbridge, Onondaga County, New York as follows:**

**Section 1. Legislative Intent**

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Elbridge County of Onondaga pursuant to General Municipal Law § 3-c, and to allow the Town of Elbridge, County of Onondaga to adopt a town budget for (a) town purposes (b) fire protection districts and (c) any other special or improvement district governed by the town board for the fiscal year 2024 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

**Section 2.  Authority**

This local law is adopted pursuant to subdivision 5 of General Municipal Law § 3-c, which expressly authorizes the town board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the town board.

**Section 3.  Tax Levy Limit Override**

The Town Board of the Town of Elbridge County of Onondaga is hereby authorized to adopt a budget for the fiscal year 2024 that requires a real property tax levy in excess of the limit specified in General Municipal Law, §3-c.

**Section 4.  Severability.**

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Section 5.  Effective date.**

This local law shall take effect immediately upon filing with the Secretary of State.

**WHEREAS**, upon review of the projected expenses facing the Town, especially State pension costs, special district costs, and other state mandated costs for which the Town has no control, the Town Board hereby finds that this override is a necessary prudent step;

**WHEREAS**, the Town Board is in the midst of the Town Budget review process for 2023 and cannot determine, with certainty, that it will be within the property tax cap, especially because the special district calculations have not been completed; **WHEREAS**, if the Town is above the property tax cap when all the final calculations have been completed, it would be subject to penalties by the State of New York; **WHEREAS**, the Town Board desires to hear from the public on Local Law 2023 - 4;

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Elbridge, County of Onondaga, State of New York, shall hold a Public Hearing on said proposed Local Law 2023 - 4, and that such Hearing shall be held at the Town Hall of the Town of Elbridge, located at 5 Rt. 31, Village of Jordan, County of Onondaga, State of New York, New York, on September 28, 2023 at 7:00 p.m. and be it further;

**RESOLVED**, that the Town Clerk give notice of such Public Hearing by the publication of a notice in at least one newspaper circulated in the Town, specifying the time when and the place where such Public Hearing will be held, and in general terms, describing the proposed Local Law.  Such notice shall be published once at least five (5) days prior to the Public Hearing.

On a motion by Councilor Blumer, seconded by Councilor Duger, the following resolution was

ADOPTED: 5 AYES Richardson Duger Platten Blumer Caron

0 NAYS

***Resolution 105/23***

**WHEREAS**, the Town of Elbridge currently allows for multi-family dwellings in the Business (B1) District if certain criteria have been met;

**WHEREAS,** the Town Board believes that certain criteria required for multi-family dwellings in the Business (B1) District are outdated and prohibit the growth of much needed housing within the Town of Elbridge;

**WHEREAS,** the Town Board desires to eliminate the above-mentioned outdated criteria in an effort to increase housing inventory within the Town of Elbridge;

**WHEREAS**, a Local Law has been introduced before the Board, to wit: Local Law 2023 - 5, entitled “A Local Law Further Amending Chapter 265 (“Zoning”), of the Code of the Town of Elbridge, the text of which is as follows:

**LOCAL LAW 2023 – 5 FURTHER AMENDING CHAPTER 265 (“Zoning”), OF THE CODE OF THE TOWN OF ELBRIDGE**

**BE IT ORDAINED AND ENACTED** by the Town Board of the Town of Elbridge, County of Onondaga, State of New York, as follows:

Section 1. That Chapter 265-14, entitled “Business (B1) District”, Paragraph (8) of the Code of the Town of Elbridge is amended as follows:

**§265-14 Business (B1) District**

(8) Multi-family dwelling after approval of the site plan thereof by the Planning Board pursuant to §265-80 of this chapter. When considering the site plan for the multi-family dwelling, the Planning Board shall satisfy itself that the following condition~~s~~ exists:

~~(a) The lot upon which the multi-family dwelling is being proposed contains a minimum of five acres of land; and~~

~~(b) The lot coverage for any multi-family dwelling is no more than fifty (50) percent of the total acreages of the lot;~~

~~(c)~~ (a) The lot upon which the multi-family dwelling is being proposed in more appropriate for a multi-family dwelling than a business based on the location, proximity to other residential homes, configuration of the lot, access for motor vehicles, and the general topography of the lot.

~~Strikeout~~ – removed language

Underline – new language

Section 2. This local law shall take effect upon the filing with the Secretary of State.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Elbridge hereby schedules a public hearing for September 28, 2023 at 7:07 P.M., to hear all of those members of the public who would like to speak in favor or against said Local Law; and

**BE IT FURTHER RESOLVED**, that the Town Clerk shall post a copy of said Local Law on the Official Bulletin Board of the Town and publish notice of said local law in the Official Town Newspaper at least five (5) days before the public hearing.

**COMMITTEE REPORTS:**

Councilor Duger: The Highway department has been busy with equipment and road maintenance, the mowing of roadsides, and a small amount of paving left to complete.

A new bench has been installed at the Community Center as well as new ballasts, and the lock system is being addressed with repair to happen soon.

Currently there is not funding for the proposed JET storage building. Joanne Spoto Decker will try to look into more option for the Town, and possibly Superintendent White can put together a rough estimate in hopes of working something out for this project.

There will be an informal fall ball season for four weeks on Sunday afternoons. Former LeMoyne Men’s Soccer Coach, Tom Bonus has suggested a potential soccer program in the fall is being considered for a five-week time period. Basketball season is being planned.

There are 43 people registered for the Vermont Senior trip. The workout program has 16 participants. Painting class has a steady 10-15 participants. County Executive Ryan McMahon will be in attendance at October 17, 2023 luncheon.

Rentals are strong, and the electronic sign installation has begun.

Councilor Blumer: No Historian’s report on file.

Both Planning Board and the ZBA Board have met with consideration being done for fence height on Whiting road, and site plan for a pole barn at McLaughlin Tire on Route 5. There is a solar project in works for Wheeler road, as well.

Councilor Caron: The Towns health insurance will be changed in January; this has been determined to be a better fit for employees. Councilor Duger would like all employees to be notified of informational meeting for insurance, when it occurs.

A water meeting was held for residents who have received Easements Grant paperwork. The project is moving along.

Councilor Platten: Assessing report on file (not given to Town Clerk). A note from Assessor Garner was given to Councilor Platten, as an example of Mr. Maxwell’s revaluation. The property at 5161 Halfway road was reviewed, containing part wood, part, waste, part tillable, and part residual land. It has been changed to all residual. This is legal to do according to the County, and Supervisor Richardson has spoken to the Supervisor in Skaneateles, there has been minimal complaint with Mr. Maxwell’s work there. Arrangements for a meeting between State, Assessor Garner, and Mr. Maxwell is being scheduled for a future date.

The Justice clerk is getting caught up on monthly reporting. The office is settling and will be closed on September 19, 2023 for training.

Councilor Platten is currently speaking with two possible candidates for the 2024 dog control officer position. It was suggested that Colliers may be able to assist with information on scope of work.

**MONTHLY REPORTS ON FILE:** Supervisor, Codes, Sr/Rec, Highway, Assessing

**AUDIENCE PARTICIPATION:** Clerk Karlik had a few housekeeping notes. She asked that the Board remind their respective departments that report need to be given to her for records, as well as any other records given out during meetings (such as insurance binders).

**EXECUTIVE SESSION:** On a motion by Councilor Duger, seconded by Councilor Blumer the Elbridge Town Board entered into Executive Session at 7:45 PM for reasons of Attorney Client Privilege.

(Minutes taken by Attorney Frateschi)

A motion was made to end the Attorney/client privilege meeting by Councilor Duger, seconded by Councilor Blumer at 8:46 pm.  The motion passed unanimously.

The Town Board resumed its regular meeting at 8:47 pm.

A motion was made by Councilor Caron, seconded by Councilor Blumer, to adjourn the regular meeting at 8:50 pm.

**Respectfully submitted,**

**Danielle Karlik**

**Elbridge Town Clerk**