

TOWN OF ELBRIDGE
TOWN BOARD PUBLIC HEARINGS & MEETING AGENDA
April 22nd, 2021

The Town Board of the Town of Elbridge met to conduct two public hearings and their regular meeting. Supervisor Vern Richardson called the first public hearing to order at 7:00 Pm and led the Pledge of Allegiance

PRESENT: Councilor Todd Platten, Councilor Mike Caron, Councilor Floyd Duger, Councilor Doug Blumer, Supervisor Vern Richardson

OTHERS PRESENT: Code Officer Howard Tanner, Supervisor Secretary McKensey Gonyea, Town Attorney Tim Frateschi, Town Clerk Danielle Karlik

PUBLIC HEARINGS:

1) The Elbridge Town Board, at their meeting held on April 8th, 2021, opened a Public Hearing, at 7:00 PM to consider amending Chapter 15 of the Elbridge Town Code to reflect a new meeting date for the Board of Assessment Review, to the second Wednesday of June. A revised Public Hearing notice was published on April 13th, 2021 Post Standard, the Elbridge and Jordan Post Offices, and at the Town Municipal Building, due to an error in previous postings.

Supervisor Richardson: Does anyone wish to speak in favor of this proposal? None

Supervisor Richardson: Does anyone wish to speak against this proposal? None

Supervisor Richardson closed Public Hearing #1 at 7:03 PM.

2) On April 8th, 2021 the Town of Elbridge Town Board called for a Public Hearing to enact a Local Law to provide for the codification of the Local Laws, ordinances, and certain resolutions of the Town of Elbridge into a Municipal Code to be designated the “Code of the Town of Elbridge”. Notice of this Public Hearing was posted in the Post Standard newspaper, and on the signboards at the Town Municipal Offices, and the Jordan and Elbridge post offices.

Supervisor Richardson: Does anyone wish to speak in favor of this proposal? None

Supervisor Richardson: Does anyone wish to speak against this proposal? None

Supervisor Richardson closed Public Hearing #2 at 7:05 PM.

ADOPT MINUTES: On a motion made by Councilor Duger, seconded by Councilor Blumer the minutes from April 8th, 2021 were adopted.

MOTION TO PAY BILLS: On a motion by Councilor Blumer, seconded by Councilor Duger, General Bills Abstract #04, Vouchers #124-162, in the amount of \$50,702.16 were ordered paid, and Highway Bills, Abstract #04, Vouchers #1072-1099, in the amount of \$25,577.15 were ordered paid with a total disbursement of \$76,279.31.

GUESTS: Duane Showen from Inserio Auditing joined the meeting via Zoom to review the 2020 audit with the Board. Copies of this review are on file with the Clerk’s office and each Board member received a copy. The results showed positive with no concerns.

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Mr. Showens thanked both the Supervisor and McKensy Gonyea for their assistance in the audit.

COMMUNICATIONS: At the County Supervisor’s Meeting, held this month, the Association’s president read a letter out to the media in regards to the 81 Corridor. The City representatives received this negatively.

The Stimulus funds sent from the state will have two disbursements, on ein June of 2021, and the second in June of 2022. A portion of this will be given to each village. More items for use of these funds are to be added soon.

There will be two dates for a vaccine clinic at the Community Center, with the first round being done on May 15th, and the second on June 5th. Residents can sign up with the Village of Jordan.

Information on the new legalization of marijuana has been given. The Town can opt out, by December 31st, with the ability to revisit after January 1st. However, if there is no opt out before December, then there will be no future ability to do so.

OLD BUSINESS: Supervisor Richardson spoke with five towns in regards to cleaning services. The responses were varied. The Town of Clay uses Oswego Industrial and seem to be happy with their service. He will look into it further. It was suggested that combining the Town with both villages may bring down the cost of the service. Currently, estimates for LED lighting are coming for the NYSERDA grant.

Inquiry in regards to the electrical stations discussed prior was brought up. It was a decision that each village would take on that project, as the Village of Jordan has had a station for some time, and it seems to be working well. The Village of Elbridge will pursue this on their own, and the Town can possibly revisit the project at a later date. The Elbridge Fire Department has yet to file its report with the Town. This filing is a requirement of their contract.

NEW BUSINESS: An issue in regards to residents/outside town persons using the outside water source for personal use. It has been abused, with large tanks, and trailers, being filled. Highway Superintendent White is looking into reasonable methods to control the use for residents only and in proper quantities.

RESOLUTION:

On a motion by Councilor Caron, seconded by Councilor Blumer, the following Resolution was

ADOPTED: 5 AYES Blumer Platten Richardson Duger Caron
0 NAYS

Resolutions 65/21

The Elbridge Town Board resolves to contract with Erlich Pest Control for services at both the Community Center and the Municipal Offices, as well as the Town of Elbridge Pavilion.

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

ADOPTED: 5 AYES Blumer Platten Richardson Duger Caron
0 NAYS

Resolutions 66/21

WHEREAS, the Town of Elbridge Assessor has requested that the statutory date for the Board of Assessment Review to meet (the last Tuesday in May) is not available to her; and

WHEREAS, a Local Law has been introduced before the Board, to wit: Local Law 2021-1, entitled “**A LOCAL LAW AMENDING CHAPTER 15**”, “**ASSESSMENT**” OF THE CODE OF THE TOWN OF ELBRIDGE, the text of which is as follows:

**LOCAL LAW 2021 -1, AMENDING CHAPTER 15
“ASSESSMENT” OF THE CODE OF THE TOWN OF
ELBRIDGE:**

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

Section 1. That Chapter 15, Article III, Section 15-5, of the Code of the Town of Elbridge, be amended and adopted as follows:

ARTICLE II. Board of Assessment

§ 15-5. Date of Board of Assessment to review complaints.

The Board of Assessment Review shall meet to hear complaints in relation to assessments commencing on the ~~first Wednesday following the fourth Tuesday in May~~ *second Wednesday of June*. This article shall remain in effect until rescinded or superseded by subsequent local law.

Section 2. Supersession

It is the intent of the Town Board to supersede Section 512(1) of the New York State Real Property Tax Law to the extent that the date for meeting of the Board of Assessment Review shall not be the fourth Tuesday of May.

Section 3. Effect

This local law will be effective upon filing with the Secretary of State, which shall be within 20 days of the adoption of this Local Law.

Strikeout – old language removed

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Italics – new language added

WHEREAS, the Town Board on April 22, 2021 held a public hearing where the public was given the opportunity desires to hear from the public on Local Law 2021-1;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby adopts Local Law 2021-1; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to file Local Law 2021-1 with the Secretary of State within 20 days of approval by the Town Board.

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

ADOPTED: 5 AYES Blumer Platten Richardson Duger Caron
0 NAYS

Resolutions 67/21

WHEREAS, the Town Board, upon its own motion, and in consultation with E-Code 360, its provider of the Town of Elbridge Code services, desires to codify all existing Local Laws into one Code Book;

WHEREAS, the Town Board is considering these changes and codification Local Law 2021-2, as set forth below:

**LOCAL LAW 2021-2, A LOCAL LAW CODIFYING
THE EXISTING LOCAL LAWS IN THE TOWN OF
ELBRIDGE:**

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

Section 1. That Chapter 1, Article III of the Code of the Town of Elbridge, be amended and adopted as follows:

ARTICLE III
Adoption of Code

§ 1-7. Code adopted; continuation of existing provisions.

In accordance with Subdivision 3 of § 20 of the Municipal Home Rule Law, the local laws and ordinances of the Town of Elbridge, as codified and consisting of Chapters 1 through 265, are hereby approved, adopted, and enacted as the Code of the Town of Elbridge, hereinafter referred to as the "Code." The provisions of the Code, insofar as they are substantively the same as those of local laws and ordinances in force immediately prior to the enactment of the Code by this local law, are intended as a continuation of such local laws and ordinances and not as new enactments.

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This local law and the Code adopted hereby shall supersede and replace the Municipal Code of the Town of Elbridge, as amended and supplemented.

§ 1-8. Code on file; additions and amendments.

- A. A copy of the Code has been filed in the office of the Town Clerk and shall remain there for use and examination by the public until final action is taken on this local law. Following adoption of this local law such copy shall be certified to by the Clerk of the Town of Elbridge by impressing thereon the Seal of the Town, as provided by law, and such certified copy shall remain on file in the office of the Town Clerk, to be made available to persons desiring to examine the same during all times while said Code is in effect.

- B. Additions or amendments to the Code, when adopted in such form as to indicate the intent of the Town Board to make them a part thereof, shall be deemed to be incorporated into such Code so that reference to the "Code of the Town of Elbridge" shall be understood and intended to include such additions and amendments. Nothing contained in this local law shall affect the status of any local law or ordinance contained in the Code, and such local laws or ordinances may be amended, deleted or changed from time to time as the Town Board deems desirable.

§ 1-9. Notice; publication.

In the event that notice of enactment of this local law is required due to amendments adopted by way of this local law to zoning or land use provisions, or is otherwise required by law, the Clerk of the Town of Elbridge shall cause notice of the enactment of this local law to be given in the manner required by law. The notice of the enactment of this local law, coupled with the availability of a copy of the Code for inspection by the public, shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

§ 1-10. Severability.

Each section of this local law and of the Code and every part of each section is an independent section or part of a section, and the holding of any section or a part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

§ 1-11. Repealer.

- A. Repeal of inconsistent enactments. All local laws and ordinances of a general and permanent nature, or parts of such local laws or ordinances, inconsistent with the provisions contained in the Code adopted by this local law are hereby repealed; provided, however, that such repeal shall only be to the extent of such inconsistency, and any valid legislation of the Town of Elbridge which is not in conflict with the provisions of the Code shall be deemed to remain in full force and effect.

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B. Repeal of specific enactments. The Town Board of the Town of Elbridge has determined that the following local laws and/or ordinances are no longer in effect and hereby specifically repeals the following legislation:

- (1) Chapter 23, Job Incentive Tax Exemption, of the Municipal Code.
- (2) Chapter 29, Individual Sewage Disposal System, of the Municipal Code.
- (3) Chapter 48, Sanitary Land Fill, of the Municipal Code, as amended July 1, 1981.
- (4) Chapter 74, Restricted Burning Permit, of the Municipal Code.
- (5) Chapter 100, Enactment and Proof of Ordinance, of the Municipal Code.

§ 1-12. Enactments saved from repeal; matters not affected.

The repeal of local laws and ordinances provided for in § 1-5 of this local law shall not affect the following classes of local laws, ordinances, rights and obligations, which are hereby expressly saved from repeal:

- A. Any right or liability established, accrued or incurred under any legislative provision of the Town of Elbridge prior to the effective date of this local law or any action or proceeding brought for the enforcement of such right or liability.
- B. Any offense or act committed or done before the effective date of this local law in violation of any legislative provision of the Town of Elbridge or any penalty, punishment or forfeiture which may result therefrom.
- C. Any prosecution, indictment, action, suit or other proceeding pending or any judgment rendered prior to the effective date of this local law brought pursuant to any legislative provision of the Town of Elbridge.
- D. Any agreement entered into or any franchise, license, right, easement or privilege heretofore granted or conferred by the Town of Elbridge.
- E. Any local law or ordinance of the Town of Elbridge providing for the laying out, opening, altering, widening, relocating, straightening, establishing grade, changing name, improvement, acceptance or vacation of any right-of-way, easement, street, road, highway, park or other public place within the Town of Elbridge or any portion thereof.
- F. Any local law or ordinance of the Town of Elbridge appropriating money or transferring funds, promising or guaranteeing the payment of money or authorizing the issuance and delivery of any bond of the Town of Elbridge or other instruments or evidence of the Town's indebtedness.
- G. Local laws or ordinances authorizing the purchase, sale, lease or transfer of property, or any lawful contract, agreement or obligation.
- H. The levy or imposition of special assessments or charges.

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- I. The annexation or dedication of property.
- J. Any local law or ordinance relating to salaries and compensation.
- K. Any local law or ordinance amending the Zoning Map.
- L. Any local law or ordinance relating to or establishing a pension plan or pension fund for Town employees.
- M. Any local law or ordinance or portion of a local law or ordinance establishing a specific fee amount for any license, permit or service obtained from the Town.
- N. Any local law or ordinance adopted subsequent to September 24, 2020.

§ 1-13. Changes in previously adopted legislation.

- A. In compiling and preparing the local laws and ordinances for publication as the Code of the Town of Elbridge, certain grammatical changes and other minor nonsubstantive changes were made in one or more of said pieces of legislation. It is the intention of the Town Board that all such changes be adopted as part of the Code as if the local laws and ordinances had been previously formally amended to read as such.
- B. In addition, the amendments and/or additions as set forth in Schedule A attached hereto and made a part hereof are made herewith, to become effective upon the effective date of this local law. (Chapter and section number references are to the local laws and ordinances as they have been renumbered and appear in the Code.)

§ 1-14. Titles and headings; editor's notes.

- A. Chapter and article titles, headings and titles of sections and other divisions of the Code are inserted in the Code and may be inserted in supplements to the Code for the convenience of persons using the Code and are not part of the legislation.
- B. Editor's notes indicating sources of sections, giving other information or referring to the statutes or to other parts of the Code are inserted in the Code and may be inserted in supplements to the Code for the convenience of persons using the Code and are not part of the legislation.

§ 1-15. Penalties for tampering with Code.

Any person who alters or tampers with the Code of the Town of Elbridge in any manner whatsoever which will cause the legislation of the Town of Elbridge to be misrepresented thereby, or who violates any other provision of this local law, shall be guilty of an offense and shall, upon conviction thereof, be subject to a fine of not more than \$250 or imprisonment for a term of not more than 15 days, or both.

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Section 2. § 1-16. When effective.

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

WHEREAS, the Town Board held a public hearing to hear all of those wishing to speak for or against Local Law 2021-2;

WHEREAS, the Town Board believes it is in the best interest of the Town residents and the government of the Town of Elbridge to codify its local laws, ordinances and rules and offer them to the public on its website as a means of being open and transparent;

NOW, THEREFORE, BE IT RESOLVED, that that Town Board of the Town of Elbridge hereby adopts Local Law 2021-2 as set forth in this Resolution;

RESOLVED, that the Town Clerk is hereby directed to file Local Law 2021-2 with the Secretary of State within 20 days of its enactment.

COMMITTEE REPORTS:

Councilor Blumer: A complaint was received for 980 Schapp Road. Not much can be done as there is no law/code being broken. Codes will respond to this complaint. The Planning Board met to discuss a few subdivisions.

Councilor Duger: The Highway has been busy working at Seymour Lofft. The still is not water at this time. Recreation is looking at May for the start of baseball/softball games. Practices have already begun. Meals continue with the Senior program. The Sr/Rec coordinator has been very tied up with planning and scheduling.

Councilor Caron: The Assessing clerk was out two days this past week and the Assessor filled in. The monthly water meeting was held and things are “rolling along”. There was discussion on the joint Water Board, and the interest of the Village of Elbridge purchasing a drive by meter reading system. The Board stated that this system would not be a savings for the Town, only the Village. Notice of Sale bids will go out to banks on April 28th, 2021.

Councilor Platten: All is quiet at this time.

Supervisor Richardson: Nothing further.

ADJOURNMENT: On a motion by Councilor Duger, seconded by Councilor Platten the Elbridge Town Board adjourned their meeting at 8:29 PM.

Respectfully Submitted,

Danielle Karlik

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Elbridge Town Clerk