

TOWN OF ELBRIDGE
PUBLIC HEARINGS & TOWN BOARD MEETING
OCTOBER 24, 2024

Town Board minutes for the October 24, 2024 meeting. 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: Town Attorney Joe Frateschi, Deputy Town Clerk
Deb Blasko, Codes Officer Howard Tanner, Clair Wheeler, Mary Jo Davis

PUBLIC HEARING #1:

The Town of Elbridge called for a Public Hearing on October 24, 2024 at 7:00 p.m. at the Elbridge Town Hall, 5 Route 31, Jordan, NY 13080, New York to hear any persons for or against granting a cable television franchise agreement by and between the Town of Elbridge and Spectrum Northeast, LLC, an indirect subsidiary of Charter Communications.

A copy of the agreement was available for public inspection during normal business hours at the Town Clerk's office.

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

PUBLIC HEARING #2:

On September 24, 2024 the Elbridge Town Board resolved to hold Public Hearing on October 24, 2024 at 7:00 PM to hear any persons for or against the proposed Local Law 2024-3 amending Chapter 218 entitled "Solid Waste" of the Elbridge Town Code, changing the fees and fines for commercial haulers transporting solid waste within the Town of Elbridge.

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

ADOPT MINUTES: On a motion by Councilor Duger, seconded by Councilor Blumer, the minutes from October 10, 2024, were entered into record.

MOTION TO PAY BILLS: On a motion by Councilor Platten, seconded by Councilor Caron, General Bills Abstract #10, Vouchers #412-449, in the amount of \$47,541.86 were ordered paid, and Highway Bills, Abstract #10, Vouchers #1164-1183, in the amount of \$15,484.54 were ordered paid with a total disbursement of \$63,026.40.

GUEST SPEAKER: Clair Wheeler, Wheeler Road, addressed the Board in regards to his plan to establish an event center on his existing property. Discussion ensued and Mr. Wheeler was informed of the next steps to take.

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COMMUNICATIONS: Mattessich Iron works has been informed to speak with either an OCWA engineer, or another engineer such as Barton and Logudicie.

OLD BUSINESS:

- CEC Grant – withdrawn.
- Comprehensive Plan – meeting to happen on October 30, 2024 with Councilor Duger, Councilor Blumer and CNY Regional Planning and Development.
- Archive Proposal – Historian Parkman will meet with Village representatives to discuss possible locations.

RESOLUTION:

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

ADOPTED: 5 AYES Richardson Blumer Duger Platten Caron
0 NAYS

Resolution 109/24

In the Matter of the Granting of a Cable Television Franchise Held by **Spectrum Northeast, LLC** in the **Town of Elbridge County of Onondaga**, New York

An application has been duly made to the Board of the **Town of Elbridge, County of Onondaga**, New York, by **Spectrum Northeast, LLC**, an indirect subsidiary of Charter Communications, Inc. (“Charter”), a limited liability company organized and existing in good standing under the laws of State of Delaware doing business at 6005 Fair Lakes Rd, East Syracuse, NY 13057, for the approval of a renewal agreement for Charter's cable television franchise for fifteen (15) years commencing with the date of approval by the Public Service Commission.

The franchise renewal agreement would bring the franchise into conformity with certain provisions of the Federal Cable Communications Policy Act of 1984, as amended, and certain court rulings.

A public hearing was held in the Town of Elbridge New York on October, 24 at 7:00 P.M. and notice of the hearing was published in the Post Standard on October 13, 2024.

NOW, THEREFORE, the Board of the Town of Elbridge finds that:

1. Spectrum Northeast, LLC has substantially complied with the material terms and conditions of its existing franchise and with applicable law; and
2. Spectrum Northeast, LLC has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and

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3. Spectrum Northeast, LLC can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

BE IT FURTHER RESOLVED that the Board of the **Town of Elbridge** hereby grants the cable television franchise of Spectrum Northeast, LLC and the **Town of Elbridge** for fifteen (15) years commencing with the date of approval by the Public Service Commission and expiring fifteen (15) years hence.

BE IT FURTHER RESOLVED that the Board of the **Town of Elbridge** hereby confirms acceptance of this franchise renewal agreement.

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

ADOPTED: 5 AYES Richardson Blumer Duger Platten Caron
0 NAYS

Resolution 110/24

WHEREAS, the Town has local laws regulating solid waste collection within the Town of Elbridge;

WHEREAS, a Local Law has been introduced before the Board, to wit: Local Law No. 2024 - 3, amending Chapter 218 of the Town Code entitled "Solid Waste" as follows:

**LOCAL LAW 2024 -3, A LOCAL LAW AMENDING
CHAPTER 218 OF THE TOWN CODE ENTITLED
"SOLID WASTE":**

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

Section 1. Section 218-7 of Chapter 218 of the Town Code is amended as follows:

§ 218-7. Imposition of fees.

~~A. The Town Board may, by resolution, designate and impose such other fees as it deems reasonable and appropriate in relation to the collection and disposal of any solid waste. After any such fees are imposed, the manner of implementation and collection shall be by regulation of the Town Board or its designee not inconsistent with the terms of the resolution imposing such fees.~~

~~B. The Town Board, by resolution, may also from time to time establish fees to defray expenses in connection with the fee for the municipal hauler license and administration of this article. Fees shall be paid by the applicant at the time of application.~~

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All haulers shall pay a uniform, annual license fee to the Town to be set by the Town Board by resolution from time to time. For the sake of clarity, failure to pay such annual fee shall constitute a “failure to obtain a municipal hauler license” in accordance with Section 218-3 of the Code, and, shall subject any such hauler to penalties as set forth within Sections 218-18 and 218-19 of the Code.

Section 2. Section 218- of Chapter 218 of the Town Code is amended as follows:

§ 218-19. Penalties for offenses

The failure of a hauler to comply with the provisions of this article shall be considered a violation subject to the following specified fines for each offense pursuant to § 80.05(4) of the Penal Law as well as for corporate officers, directors and officials except for corporations in their corporate capacity which shall be fined pursuant to § 80.10 of the Penal Law. Each day's violation shall be considered a new and separate offense subject to a separate penalty as fixed below. Any fines collected under this article shall inure to the Town and shall be deposited in the Town general fund to use as it deems appropriate.

Section	Violation	Fine
§ 218-3	Failure to obtain a municipal hauler license	\$250 <u>\$1,000</u>
§ 218-3	Failure to deliver all solid waste collected within the Town and destined for disposal within New York State to the Town approved disposal site	\$250 and revocation
§ 218-6A	Accepting and/or disposing of county-designated recyclable materials as solid waste	\$200
§ 218-6B	Removing, destroying or disposing of recycling container or using same for other than storage of a county-designated recyclable	\$150
§ 218-8	Engaging in the collection of solid waste and/or recyclables on Sundays, Thanksgiving or Christmas	\$50
§ 218-9D	Failure to notify the Town, 30 days' prior written notice of any cancellation, nonrenewal or modification or required insurance policy	\$50
§ 218-10	Failure to comply with the designated hours of operation	\$200
§ 218-11	Failure to remove uncollected solid waste improperly set out for disposal	\$100
§ 218-12	Throwing, scattering or allowing deposit of any solid waste and/or county-designated recyclables or other waste upon the streets	\$100
§ 218-13	Engaging in the collection of solid waste and/or county-designated recyclables in an uncovered vehicle	\$100
§ 218-14	Dumping or depositing an solid waste and/or recyclables material upon any property; draining leachate from hauler vehicle	\$100
§ 218-	Allowing solid waste or other waste material and	\$250

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Section	Violation	Fine
15	recyclables to accumulate upon any property so that it becomes obnoxious, unsightly or offensive	
§ 218-16	Any hauler engaging in the burial or private burning of solid waste and/or recyclables, papers, trash, hazardous waste and/or materials within the limits of the Town	\$250

~~Strikeout~~— removed language
Underline – new language

Section 2. This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

WHEREAS, the Town desires to set a uniform annual fee for all hauler licenses and to increase certain penalties for failing to obtain a license.

NOW, THEREFORE, BE IT

RESOLVED, that Local Law 2024-3 is hereby approved and enacted; and be it further

RESOLVED, that the Town Clerk is directed to file Local Law 2024-3 with the Secretary of State within 20 days of the date set forth herein.

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

ADOPTED: 5 AYES Richardson Blumer Duger Platten Caron
0 NAYS

Resolution 111/24

The Elbridge Town Board resolves to purchase a new 2026 International Truck HX520 with Henderson Plow Equipment, Onondaga County contract #0010914 for a total of \$291,269.00

COMMITTEE REPORTS:

Councilor Duger: No senior luncheon on election day. Flu clinic on November 1st from 11:00 AM – 1:00 PM. Mammogram Van will be available December 17th from 10:00 AM – 4:00 PM. The seniors will be taking a one-day trip, in December, to see the Lion King and Lights on the Lake.

Councilor Blumer: Nothing to report.

Councilor Platten: The trial, scheduled by the Justice Department for October 28th, has been cancelled.

Minutes for the Environmental commission have been submitted. They will be speaking with the Village of Jordan in regards to a sign at the native garden site. They are discussing this year's tree order.

Questions regarding assessing utilities has been answered.

No new dog contract has been sent.

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Councilor Caron: Nothing to report. Will be gone for the month of November.

EXECUTIVE SESSION: On a motion by Councilor Duger, seconded by Councilor Caron, the Elbridge Town Board entered into Executive Session at 7:43 PM, to discuss legal matters, and personnel. Attorney Frateschi recorded minutes for the remainder of the meeting.

8:45 P.M. – Councilor Platten made a motion to leave Executive Session, seconded by Councilor Blumer. Supervisor Richardson put the motion to a vote. Passed unanimously.

8:46 P.M. – Councilor Platten made a motion to authorize the Town to enter into an addendum to its engagement letter with Harris Beach PLLC for additional legal services, subject to the Town's review. Councilor Blumer seconded the motion. Supervisor Richardson put the motion to a vote. Passed unanimously.

ADJOURNMENT:

8:47 P.M. – Councilor Duger made a motion to adjourn. Councilor Blumer seconded the motion. Supervisor Richardson put the motion to a vote. Passed unanimously.

Submitted by,

Danielle Karlik
Elbridge Town Clerk