

Town of Aurelius
May 12, 2016
Approved minutes

Board members present: Supervisor Edward J Ide Jr., Deputy Supervisor Stephanie Church, and Councilor Sharon Hayden. Councilor Stan Hoskins arrived at 7:30pm.

Staff present: Gerald Scouten Planning Board Chairman, Kent Walter, Highway Superintendent, Debbie Pinckney, Town Clerk, Tom Passarello, Code Officer, Dave Thurston, Attorney.

Public: Alexander Patterson

1. Supervisor Ide opened the meeting at 7:00pm with the Pledge to the Flag
2. Public Forum – none
3. Minutes of April 14, 2016.

Resolution -#45-2016 Motion by Deputy Supervisor Church to table the minutes. Second by Councilor Hayden. 3/0 approved.

1. Supervisor Ide opened the discussion about River Road and hook ups for water and sewer to recreation vehicles. Code Officer Passarello, Planning Board Chairman Jerry Scouten, Clerk Pinckney and Highway Superintendent Walter have reservations about allowing a recreational vehicle to hook up to public water and sewer.

Clerk Pinckney would like some guidance if the Board decides to grandfather these campers, and allows them to hook up to water and sewer, how can she collect the debt service? Need legal advice.

Planning Board Chairman Scouten reiterated his opinion that to provide water and sewer hook up to the campers is against the Town Zoning Law, the Planning Board, ZBA Board, and Code Officer has worked very hard to ensure the properties along the shoreline south of the village have complied with our laws. He understands that River Road is made up of pre-existing non-conforming parcels, and asks the Board to have a plan in place before allowing hook ups. He reminded the Board that Code has enforced the Zoning Law with regard to campers in every other part of the Town and it's not fair to have special consideration for those campers. We have zoning laws in place that work and in his opinion it's a step backward and it places the Code Officer, Planning Board and ZBA Board at a distinct disadvantage should someone ask for the same consideration.

Clerk Pinckney wondered if a moratorium on any new construction would be a good idea until the Board can decide if there should be a PDD or PDU. No action taken at this time.

Code Officer Passarello explained that these campers are in a flood zone – NYS Building Codes require them to be anchored in such a way to prevent them from floating away if there is a flood.

His question to Attorney Thurston is the Town liable if there is a flood and the campers float off and damage another property. Need legal opinion.

Discussion - Attorney Thurston explained that River Road is non-conforming and once the Town owns the land there will be steps to get the land surveyed, and appraised. The Board continued discussions, they recognize that River Road will be a work in progress, the goal has always been to provide potable water and sanitary sewer to our residents, originally Canals rejected the Board's purchase offer and when Canals approached the town to reconsider, everyone was in agreement this is the right thing to do. Putting faith in Canals that the purchase was in the works, the Town moved forward with supplying water and sewer to River Road to utilize the grant money and zero interest loans available through the Joint project.

Water/Sewer manager Kent Walter stated there is River Road residents already hooked into the system. He said that there is a significant difference in the daily water tower output and WWTP Operator Bob Kneaskern is seeing more discharge which is good for the plant.

Councilor Hoskins arrived at 7:30pm. Continued discussion.

Conclusion – The Town Board understands there are challenges with any decision made for River Road residents. It is understood that the recreation campers have been there for many years and that they lease rent the land. Supervisor Ide asked Attorney Thurston to come up with some kind of lease agreement for the properties on River Road, look into the proper way to allow the Town to collect debt service from the properties that have campers, find out what recourse the Town has should the taxes, water and sewer, and debt service not be paid for any of the River Road properties, and start looking at what options we have moving forward.

Tom Passarello and Jerry Scouten explained that once we own the land, Codes, Planning and the ZBA must have clear written guidelines from the Board.

Supervisor Ide reminded the board of his vision for River Road when we first started the Joint Project.

- Have Codes address life safety issues first.
- After those have been addressed move onto Code violations

Suggest the Board instruct Attorney Thurston to draft a lease agreement for the travel trailers that includes debt service with a caveat that the land cannot be purchased as long as the trailer is on the property.

Resolution #46-2016 Motion by Councilor Hoskins to instruct Attorney Thurston draft a lease agreement for the parcels on River Road with a travel trailer on site that would allow them to be hooked to water and sewer, that also includes cost of usage, O & M, debt service and once land sale closes the lease payment. Second by Councilor Hayden. 4/0 approved.

2. Deputy Supervisor Church asked Attorney Thurston for an update on the proposed local law for condemned buildings. Discussed the difficulty in enforcing condemned buildings, or placing public works charges on taxes. Clerk explained that the County has taken the stance that they will not levy any public works costs. Attorney explained that is true, but it may be possible for a municipality to use the court system, levy judgements and fines and use the local police to enforce. He will research and get back to the Board.
3. Horst Farm – hooking up to water from their Wayne’s Point property. Consider it a bulk water hook up. Kent explained at this time Mr. Horst is not interested. No action taken.
4. Village of Union Springs has approached the Town Supervisor and asked if it would be possible for Union Springs, Aurelius and Cayuga to hire/train a person that would work jointly at the WWTP in Union Springs and Cayuga. Possibly consider an IMA between each municipality and have the one municipality have the person on payroll and the other municipality reimburse ½ of the salary and benefits and deal with disciplinary issues. No action needs to be taken at this time.
5. Planning Board Chairman Scouten and Attorney Thurston requested a resolution to accept the PPD application for Izzo’s White Barn Winery.

The Town Board of the Town of Aurelius, duly convened in regular session on May 12, 2016 at 7:00 pm at the Town offices located at 1241 West Genesee Street Road, Auburn, New York 13021, does hereby resolve as follows:

Motion by Deputy Supervisor Church.

WHEREAS, a completed application having been submitted by Cayuga Road Vineyards, LLC and Izzo’s White Barn Winery (collectively the “Company”) for the establishment of a Planned Development District at the Company’s property at 6634 Cayuga Road (tax map 112.00-1-10.12) in the Town (the “Project”); and

WHEREAS, pursuant to the Town of Aurelius Zoning Law § 100-35 the Town Board is required to refer the application to the Town Planning Board for its review of the application and to make recommendations to the Town Board for further proceedings thereon; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and the regulations of the Department of Environmental Conservation of the State of New York promulgated thereunder (collectively referred to hereinafter as “SEQRA”), the Town is required to make a determination with respect to the environmental impact of any “action” (as defined by SEQRA) to be taken by the Town and the approval of the application constitutes such an action; and

WHEREAS, Town of Aurelius Zoning Law § 100-35 designates the Town Planning Board as the lead agency to make any such determination of the environmental impact of the proposed action under SEQRA;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Aurelius hereby refers the application to the Town Planning Board for its review of the application and to make recommendations to the Town Board for further proceedings thereon in accordance with the Town Zoning Law, and be it further

RESOLVED, that the Town Board hereby designates the Town Planning Board as “lead agency,” subject to any objections from other involved and potentially involved agencies, to conduct a review and determination of the environmental impact and significance of the application in accordance with SEQRA, and be it further

RESOLVED, that the Town Clerk be and she hereby is directed to forward the application and all corresponding documentation to the Town Planning Board for its review and recommendation, and be it further

RESOLVED, that this Resolution shall take effect immediately.

Second by Councilor Hayden. Edward J. Ide Jr., Supervisor – yes, Deputy Supervisor Church – yes, Councilor Hayden – yes and Councilor Hoskins – yes. 4/0 approved.4/0 approved.

This Resolution was thereupon declared duly adopted. Deborah Pinckney – Town Clerk

6. Attorney Thurston submitted a draft of the proposed Sewer Law. Clerk will distribute to the Board for review at the June 9, 2016 meeting.
7. Beech Tree Road Water 4 Extension. Councilor Hoskins explained the Board is waiting for Matt Schooley of B & L to present the RFP so the Board can advertise for bids. Attorney Thurston and Clerk Pinckney shared the challenges with Ellen McDonald of the NYS Department of State with regard to OSC Approval. She has asked for numerous documents, and in some cases has asked for the same documents numerous times. Clerk explained Matt Schooley stated Ms. McDonald was not happy with the legal ad’s boundary description. Suggested Dave, Matt and Debbie get on a conference call next week to make this happen. Councilor Hoskins thought Mr. Schooley was going to have the RFP ready for tonight’s meeting. Clerk explained Matt had called and would not be able to make the meeting. Clerk will follow up with Mr. Schooley and report back to the Board where he is with the RFP paperwork.
4. Correspondence
 - Sales tax – down 3%
5. Committee Reports
 - a. Assessor – Linda Wright – no report but info on STAR Transition and STAR exemption
 - b. Zoning & Code Enforcement – Tom Passarello – see report
 - c. Aurelius/Cayuga Recreation – Debbie Pinckney
 - ✓ Harris Beach should open mid June with swim lessons starting July 1. Deputy Supervisor Church mentioned the Village should check with USCS Summer

Academy as that offers programs at the same time there are swim lessons. Have Ms. Lyndaker check the school website.

- d. Highway Department – Kent Walter
- Oiled and chipped 4 miles of road, worked with Ledyard, Springport, Scipio and Throop and Mentz.
 - Road grader went to Palmyra auction
 - Thus far approximately 10 people have been hooked up to water and sewer on River Road
 - State Police Barracks –
 - ✓ Village of Union Springs came over with their sewer cleaner to help clean out the drainage pipes. Supervisor Ide presented a drawing of the pipe line which identifies how the water flows; there is some kind of (calcium) deposit plugging the drain. The pipe is running uphill about an inch as there isn't a good slope to give it a good downward pitch. Not sure what the problem is, would like to look at it when it is dry. Board continued discussion and agreed to:
 1. replaced the sump pump,
 2. Replaced 2 lights on the helicopter pad and a new wind sock.
 3. Rugs in the bathroom Springport assisted with putting the lockers back in place
 4. The offices were completed to day
 4. Will finish the dispatch office tomorrow
 6. Doors had to be shaved a bit by Town staff and installed
 7. Supervisor Ide would like to discuss the drainage issues under new business.
 - Ellis Drive Pump Station is not working correctly, had GC Enterprise pump out the last 2 days. Tom Gabak from the City found a restriction somewhere between Kohl's and Home Depot. Whatever was there seems to be gone but will have to investigate next week. Kent had reached out to Eric Pond and Brian Skidmore from Barton & Loguidice looking for as built drawings for the Station. Kent had an issue in February with a cardboard like substance clogging the pump station and it seems to be getting worse. It is possible its' some kind of chemical reaction from the Milk Plant since it shows up rather sudsy at the manhole by the plant. Supervisor Ide has been in contact with Kevin Ellis – Cayuga Milk Ingredients Manager and they will meet next week to discuss the issues, find a resolution to the problem and ensure the Milk Plant understands and costs associated with this fix are their responsibility. Kent also explained that the pump station needs a new call/alarm system as Verizon no longer makes a cell phone that fits that cradle. At this time Bookkeeper Martha Russel has done some research and the cost is close to \$2100.00, but it is necessary. **Resolution #48-2016 Motion by Deputy Supervisor Church to purchase an emergency call system for the pump station. Second by Councilor Hayden. 4/0 approved.**
 - City will put a new valve by the Clark Street Road meter pit which will affect Mullen Drive and Clark St. water service, service should be back on in less than 4 hours. Clerk will notify the affected residents.
 - Bulk Water Fill Station needs a new meter head. Haulers are on the honor system until the new meter is in. Clerk can identify when they are at the station as the fob

allows them to draw water, it just times out after 800 gallons. So they can use the fob multiple times to load. Clerk will have the date and times for each time the fob is used.

- e. Planning Board – Jerry Scouten –
 - ✓ Dr. Ottosen on 1532 Clark St Rd is presenting plans for an addition on the veterinary clinic. Will need to get a variance for setbacks. Kent stated they did tap the line to the house. Jerry explained that the new plan would have the house and clinic to be merged. Discussed the tap cost of \$750.00. Bill to be charged to the residential home.
 - ✓ Planning Board had approved plans for David Boyle of Lower Lake Road to put an addition on the guest cottage but he declined once he got the price for water and sewer hookup and debt service. He already has service to a house on that property.
- f. Town Clerk – Debbie Pinckney
 - Monthly Report
 - Water/Sewer Adjustments- April 4 - April 28 Resolution **#49-2016 Motion by Deputy Supervisor Church to accept the adjustments as presented. Second by Councilor Hayden. 4/0 approved.**
 - Cayuga Milk Ingredients – sewer adjustment by Cuddy & Ward for Nov/Dec of 2015 and Jan of 2016. The auditors made additional adjustments to these sewer bills for an additional expense of \$5,878.79. These totals need to be booked for the fiscal year 2016. Cost was increased as the settlement sewer rate was to begin in November of 2015.
- g. Town Historian – Barrie Lyn Foster – no report
- h. IO – no report

6. Old Business

- a. Town of Aurelius - City of Auburn IMA – Water District 3 – no update
- b. Broadband – Councilor Hoskins - remove
- d. Beech Tree Road Water District 4 – handled out of agenda order
- e. State Police Barracks – Ed presented a drawing of the Barracks (see Highway Dept.)
- f. Cooper’s Trailer Park – new meters in (need Dave Thurston to write up an agreement with regard to nonpayment and water loss) Clerk explained that any unpaid water will be relieved onto the Maggio’s taxes, she does a courtesy call to the property owner when that is going to happen. (This is what happens at Garropy’s) Also the meter readings will include the master meters into the park, and if there is a difference between the master meter read and the total park consumption, that will be billed to the property owner also.
- g. River Road – current water and sewer hookups handled out of agenda order

7. New Business

- a. Linda Wright – requests the Board accept her resignation for the purpose of collecting Social Security as of June 29th, 2016 and asked to be re-appointed as of July 1, 2016. She has retired from the Town of Skaneateles but would like to keep Aurelius until her appointed term is up. She will be asking the same for the Towns of Summerhill and Moravia.
- b. Izzo’s White Barn Winery resolution – handled out of agenda order
- c. Lakeshore Sewer District Budget Modifications from Municipal Solutions

Resolution #50-2016- Motion by Deputy Supervisor Church;

WHEREAS, the Town of Aurelius has received a Grant from Rural Development for their Lakeshore Sewer District Improvement Project (“Project”); and

WHEREAS, the Town Board wishes to adjust project budget items to more accurately reflect final costs and;

WHEREAS, Rural Development requires the Town Board to authorize all changes to the Administrative Budget as shown on the Form E; NOW, therefore be it

RESOLVED, that the Town Board of the Town of Aurelius authorizes the following Budget modifications for the Project:

Net Interest	Decrease of	\$22,841.50
Admin. & Reporting	Increase of	6,500.00
Lands, ROW	Increase of	17,726.85
Miscellaneous	Decrease of	5,000.00
Admin. Force Account	Increase of	5,120.26

I, Deborah Pinckney, Town Clerk of the Town of Aurelius, do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of Aurelius on May 12, 2016, by the following vote:

Second by Councilor Hayden. Edward J. Ide Jr., Supervisor – yes, Deputy Supervisor Church – yes, Councilor Hayden – yes and Councilor Hoskins – yes. 4/0 approved.

- d. Punch List provided by Joe Fitzgerald of B & L of what needs to be completed before final Payment will be released. Debbie explained that Joe has been reassigned and suggested we contact WD Malone if there are concerns or additions.
- e. State Police Barracks -

Resolution #51-2016 Motion by Deputy Supervisor Church to hire someone to install gutter at the State Police Barracks. Second by Councilor Hayden. 4/0 approved.
- f. **Resolution #52-2016 Motion by Councilor Hayden to install the sump pump, second by Deputy Supervisor Church. Discussed who will do the work? Consensus to speak with former Councilor Bona and work on getting bids. 4/0 approved.**

g. Supervisor Ide explained that of the residents that had expressed an interest in filling Jim Bona's position on the Town Council, only Mr. Patterson has attended the last few meetings. Would he be interested in the appointment? Mr. Patterson thanked the Board and stated he would have an answer for the Board at the June meeting.

8. Executive Session - none

9. Supervisor Report – none

10. Transfers - none

11. Pay Bills – Abstract #5-2016 / plus Joint Committee Vouchers/Abstract #143-2016

Resolution #53-2016 Motion by Deputy Supervisor Church to approve paying Abstract 5 and Abstract 143. Second by Councilor Hayden. 4/0 approved.

CODE	FUND	PREPAIDS	UNPAIDS	TOTALS	
A	GENERAL FUND	\$8,688.90	\$3,302.78	\$11,991.68	
B	GEN PART TOWN	\$817.93	\$227.68	\$1,045.61	
DB	HIGHWAY PART TOWN		\$3,010.38	\$3,010.38	
SL1	LIGHTING DISTRICT 1	\$257.86		\$257.86	
SL2	LIGHTING DISTRICT 2	\$69.72		\$69.72	
SW1	WATER DISTRICT 1	\$13,903.53		\$13,903.53	
SW2	WATER DISTRICT 2	\$21,750.15	\$670.45	\$22,420.60	
SW3	WATER DISTRICT 3	\$38,734.15	\$4,325.77	\$43,059.92	
SS1	SEWER DISTRICT 1	\$2,886.88		\$2,886.88	
SS2	SEWER DISTRICT 2	\$8,165.82	\$760.17	\$8,925.99	
SS3	SEWER DISTRICT 3	\$70,386.64		\$70,386.64	
TA	TRUST & AGENCY	\$6,985.78		\$6,985.78	
HK	CAPITAL WATER				\$644.32
		\$172,647.36	\$12,297.23	\$184,944.59	\$644.32

12. Adjourn – **Resolution #54-2016 Motion by Councilor Hoskins to adjourn at 10:35pm. Second by Councilor Hayden. 4/0 approved.**

Next Joint Meeting is Thursday May 19, 2016 at the Town at 7:00pm.

Next regular Meeting is Thursday June 9, 2016 at 7:00pm.

Respectfully submitted by Clerk Pinckney