

On Monday, November 14, 2011, the Preble Town Board held its regular monthly meeting. The meeting was called to order by the Supervisor, Jim Doring, with the salute to the flag at 8:00.

Board members present: Debra Brock, Tom Fox, Peter Knapp, and Dave Morse, Councilmen

Others present: Don Armstrong, Calvin Griswold, Ken Brock, Dan O'Shea, Jeff Griswold, Tony George, Jay Currie and Rick Fritz

### CORRECTIONS/APPROVAL OF PREVIOUS MINUTES

Motion made by Tom Fox, seconded by Debra Brock  
**RESOLUTION #79:** To accept the October 10, 2011 monthly meeting minutes and the November 10, 2011 Public Hearing on the Preliminary Budget minutes as submitted  
Debra Brock(aye) Tom Fox(aye) Peter Knapp(aye) Dave Morse(aye)

### COMMITTEE REPORTS:

**DOG CONTROL: October Report**

- 1 dog picked up; returned to owner
- 85 miles traveled for the Town
- Received \$30.00 - Impoundment fees

**JUSTICE REPORT:** -\$14,460.00 submitted to the Town for October

**HIGHWAY REPORT: -Roads:**

- The Currie Rd. railroad crossing has been repaired (CSX did the tear-out; The highway men replaced the blacktop)
- All sand has been hauled to Truxton per agreement
- Jeff gave a copy of our Shared Service agreement to Truxton and Tully for review.
- All the street lights have been checked and found seven not working; National Grid has been notified.
- Jeff has submitted the paperwork for a \$26,436.12 reimbursement from CHIPS
- Jeff found 7407 Saulsbury Rd. out of sequence, notified County Planning; a new house number (7433) has been issued
- Equipment:**
  - All equipment has been serviced for the winter
  - Jeff has been notified by Riverside Fire Extinguishers that any extinguisher built before 1985 will need to be replaced this year.
- Shop:**
  - The original blower motor on the furnace has been replaced.
- Personnel:**
- Other:**

**RECREATION:** -

**COUNTY LEGISLATURE :** John is absent

**ZONING AND CODE ENFORCEMENT -**

- 4 Building Permit issued
- 130 miles traveled for the Town
- 9 Building inspections
- 31 hours worked
- 3 Fire Inspections
- 4 complaint follow-ups
- 43 telephone inquiries

**PLANNING BOARD** -Meeting -November 23rd @7:00 (Wednesday)  
**ZBA** -Meeting - December 1st @7:30 (Thursday)

**HISTORIAN -** -Anne is absent.

**TOWN CLERK:** -Fees collected \$340.00; disbursed \$305.60 to the Town of Preble; \$27.40 to NYS DEC, and \$7.00 to be held until the County Clerk and Town Clerk's decide on the Animal Population Control money.

Approval is needed to pay CDBG grant payments:  
\$18,973.00 to John Reome & Russell Morse  
\$4,743.00 to John Reome & Russell Morse  
\$250.00 to Home Pro Hero (Roundy)

**Motion made by Tom Fox, seconded by Debra Brock**  
**RESOLUTION #80: To approve payment to the above vendors from the CDBG grant monies.**  
**Debra Brock(aye) Tom Fox(aye) Peter Knapp(aye) Dave Morse(abstain)**

There is a balance of \$286,741 in the CDBG grant monies.

**DON ARMSTRONG :**

**UNFINISHED BUSINESS**

**Rick Fritz, CEO** - Rick spoke about the Mobile Home Parks in the Town mentioning that there should be stricter laws. Many of the trailers are unsafe, lots of issues, and the owners are not fixing the problems. Rick believes there should be fire and safety inspections every 2 years.

Attorney Armstrong referred to the **Zoning Ordinance, Section 308:**

**Inspections required:** Fire safety and property maintenance inspections of buildings and structures shall be performed by CEO or an inspector designated by the CEO at the following intervals: 1.) Fire safety and property maintenance inspections of buildings or structures which contain an area of public assembly shall be performed at least once every 12 months. 2.) Fire safety and property maintenance inspections of buildings or structures being occupied as dormitories shall be performed at least once every 12 months. 3.) Fire safety and property maintenance inspections of all multiple dwellings not included in paragraphs 1 or 2 of this subdivision, and all non-residential buildings, structures, uses and occupancies not included in paragraphs 1 or 2 of the subdivision, shall be performed at least once every 36 months.

**Inspections permitted:** A fire safety and property maintenance inspection of any building, structure, use, or occupancy, or of any dwelling unit, may also be performed by the Code Enforcement Officer or an Inspector designated by the Code Enforcement Officer at any time:

1.) The request of the owner of the property to be inspected or an authorized agent of such owner; 2.) Receipt by the Code Enforcement Officer of a written statement alleging that conditions or activities failing to comply with the Uniform Code or Energy Code exist; or 3.) Receipt by the Code Enforcement Officer of any other information, reasonably believed by the Code Enforcement Officer to be reliable, giving rise to reasonable cause to believe that conditions or activities failing to comply with the Uniform Code or Energy Code exist;

Attorney Armstrong suggested that Rick go to the Mobile Home Parks and asked to be let in to inspect their homes.

**Junk Problem:** He has a big problem with junk issues in town. He is also working with 3 residents that don't want to comply with zoning regulations. He would like permission to meet with Attorney Armstrong regarding these issues. He would like a complaint form so he would have something on file. It was suggested that Rick create a form. Rick would like to prohibit the accumulation of junk by perhaps filing complaints with the local Justice Court or Supreme Court. It was mentioned that the most successful way of taking care of the issue was to fine the resident or even a jail sentence. The unsuccessful way for those who won't clean up is to go to trial, impose a fine and jail, and then can't make them clean up. To bring proceedings into Supreme Court would cost the town and probably wouldn't stop the accumulation of junk. Councilperson Brock asked if it was possible to clean up the junk and charge the resident. Attorney Armstrong stated that we do not have a law but could pass one.

Attorney Armstrong referred to the **Zoning Ordinance, Section 640**

**A.** Junk yards and automobile graveyards are prohibited in all zoning districts.

**B.** All yards must be kept free of abandoned, inoperable, or unregistered vehicles and machinery, discarded appliances and furniture, all forms of rubbish and junk, and disorderly or unsightly piles of building material, with the exception that those items associated with work in progress and one unregistered vehicle are permitted on a lot.

**Approval of Budget** - The Preliminary budget has been approved.

**Motion made by Dave Morse, seconded by Tom Fox**  
**RESOLUTION #81: To approve the tentative budget for 2012 as presented**  
**Debra Brock(aye) Tom Fox(aye) Peter Knapp(aye) Dave Morse(aye)**

**Highway Garage Title** - Attorney Armstrong announced that the Town has a Good Title to the property which houses the highway garage.

**County Tower on East Hill** - Attorney Armstrong stated that this property is not subject to local municipal regulations as the town is doing this as a courtesy to the County. The Planning Board will review.

**Appoint Town Justice upon completing classes** -With Justice Lynn Webb moving out of state and not being able to utilize Justice Shiffer of Homer, it will be necessary to appoint newly elected Donna Doody to take over the duties of Justice after completion of the training period which is December 12<sup>th</sup>. She cannot act in any capacity until she has completed her training so she will be appointed at the December 12<sup>th</sup> meeting for the remainder of 2011.

**Appoint new Planning Board member** -Since Donna Doody will be appointed as Justice at the December meeting, it will be necessary to appoint a new member to the Planning Board. Names being considered: Tim Coyne, Leo Visconti, Jim Magee, Ken Morgan, Phil Shawski, Amy McMurray, Andy Fuller and Al Socha.

**Aquifer Protection** - A brochure from the Cortland County Soil and Water Conservation District was presented to

the Board to review.

**Scope of Town Hall Renovation** - Councilperson Brock announced that Jeff Griswold and Jay Currie have taken over as co-chairmen of the project. The Board has received the appraisal.

Total Project Costs	\$108,879.96
Incentives	\$69,027.76
<b>Costs After Incentives</b>	<b>\$39,852.20</b>

Solar Displacement (kW) 11,246	\$1,912
<b>Annual Savings</b>	<b>\$11,736.87</b>
<b>Simple Payback Calculation</b>	<b>3.40</b>

The Procurement Policy will have to be updated. Attorney Armstrong will update and forward to Supervisor Doring.

Jeff and Jay will work with CNY Regional Planning & Development Board.  
The \$25,000. grant from Senator Seward will be used toward the project.

**Motion made by Jim Doring, seconded by Dave Morse**  
**RESOLUTION #82: To go ahead and proceed with the project of renovation of the Town Hall Building**  
**Debra Brock(aye) Tom Fox(aye) Peter Knapp(aye) Dave Morse(aye)**

**A tentative Board Meeting will be November 29<sup>th</sup> @ 7:30.**

Money to start the project will be used from surplus funds for up front costs for energy remodeling.

**Budget Amendment:**

**GENERAL FUND**

Debit(increase) Appropriated Fund Balance(A599)	\$45,000.00	
Credit(increase) Est. Appropriations(A960)		\$45,000.00
Subsidiary - A9950.9 Transfer to Capital Projects		

To budget surplus fund balance for up front costs for energy remodeling.

Debit(increase) Appropriated Fund Balance(A599)	\$2,670.00	
Debit(decrease) Est. Appropriations(A960)	\$3,000.00	
Subsidiary - A1990.4 - Contingent		
		\$5,670.00
Credit(increase) Est. Appropriations(A960)		
Subsidiary - A1110.4 Justice contractual	\$755.00	
-A1355.41 - Assessor contractual	\$165.00	
-A1420.4 - Attorney contractual	\$3,500.00	
-A1420.41- Attorney, special	\$750.00	
-A1680.41 -Web site contractual	\$500.00	

To amend budget by using contingent and surplus fund balance to cover underbudgeted accounts.

**HIGHWAY FUND**

Debit(increase) Est. Appropriations(DA960)	\$1,418.00	
Credit(increase) Est. Appropriations(DA960)		\$1,418.00
Subsidiary - DA5110.1 General Repairs, wages	\$43.00	
-DA5110.42 - General Repairs, contr. Fuel	\$1,375.00	

To amend budget by using surplus fund balances to cover underbudgeted accounts

**Motion made by Peter Knapp, seconded by Dave Morse**  
**RESOLUTION #83: To approve all items to amend the budget as needed as of November 14, 2011**  
**To both the General Fund and the Highway Fund**  
**Debra Brock(aye) Tom Fox(aye) Peter Knapp(aye) Dave Morse(aye)**

Peter excused himself from the meeting.

**NEW BUSINESS**

Third Quarter Sales Tax received - \$110,659.35

Post Office check received - \$512.50

**Thoma - New applications for CDBG grant** - Supervisor Doring presented the Board with 1 new applicant who has applied for the CDBG grant. Following some discussion, the Board approved the applicant. The current available monies for the grant is at \$286,741.

**Motion made by Dave Morse, seconded by Debra Brock**  
**RESOLUTION #84: To accept the applicant, Leon and Sandra Whalen, for the Community Development Grant Fund.**  
**Debra Brock(aye) Tom Fox(aye) Dave Morse(aye)**

**PUBLIC COMMENTS**

**APPROVE GENERAL & HIGHWAY BILLS**

**Motion made by Dave Morse, seconded by Debra Brock**  
**RESOLUTION #85: To pay the General Fund Vouchers, Abstract No. 11, Nos. 252 to 280 totaling \$10,751.17**  
**Debra Brock(aye) Tom Fox(aye) Dave Morse(aye)**

**Motion made by Debra Brock, seconded by Tom Fox**  
**RESOLUTION #86: To pay the Highway Fund Vouchers, Abstract No. 11, Nos. 134 to 147, totaling \$13,518.35**  
**Debra Brock(aye) Tom Fox(aye) Dave Morse(aye)**

**Motion made Tom Fox, seconded by Debra Brock to go into Executive Session to discuss litigation at 9:33.**

**Motion made by Dave Morse, seconded by Debra Brock to exit Executive Session at 9:45.**

There being no further business, Jim asked for a motion to adjourn. Motion made by Deb, seconded by Dave; meeting adjourned at 9:46.

Respectfully submitted.

Unofficial 11/14/2011  
Official

Jane W. Davenport  
Town Clerk