

SEPTEMBER 23, 2015

The second regular monthly meeting of the Ellington Town Board was held on September 23, 2015 at 7:00p.m. at the Ellington Town Hall, 813 W. Main Street, Ellington, N.Y.

PRESENT: Laura M. Cronk, Supervisor
Tamara O. Miles, Councilwoman
Roger D. Brainard, Councilman
Sharon J. Berg, Councilwoman
Jeffrey L. Chase, Councilman
Dennis Colvenback, Highway Superintendent
Karen G. Bifaro, Town Clerk /Rec. Sec.
William Duncanson, Attorney
Sandy Colvenback, resident
Mallory Diefenback, Post Journal reporter
Frank & Linda Whitacre, residents

Peggy Steward	Debbie Rhinehart	Nadine O'Brien	Dan Textor
Elaine Congdon	Laurel Austin Smith	Traci Spencer	Marlene Textor
Chad Swanson	Jamie Swanson	Lloyd Johnson	Vonceile Miller Hays
Jenna Spencer	Chanel Whitacre	Carson Whitacre	Steve Lundsten
Jackie Cannon	Scott Pollock	Pam Pollock	William Green
Kathy Rhinehart	Robert Rhinehart	Melinda Jaquith	Jeffrey Green
Jonathan Jaquith	Kim Swanstrom	Noretta Reynolds	Loren Kent
Candance Welsh Payne			

Supervisor opened the meeting at 7:00p.m. followed by the Pledge of Allegiance.

As advertised in the Post Journal, the Public Hearing was opened at 7:00p.m. for proposed Local Law No. 1-2015 entitled, " Rules & Regulations for Use of the Ellington Town Parks". This proposed law was previously discussed by the Town Board and the Attorney and a Public Hearing was set and advertised for this date.

Motion made by Miles, seconded by Chase to approve the Law as stated. Poll Vote called by the Town Clerk.

POLL VOTE: Miles-aye, Brainard-aye, Berg-aye, Chase-aye, Cronk-aye Carried.

Public Hearing closed at 7:08p.m.

Public Participation

Supervisor asked attending group who would like to speak. Linda Whitacre spoke that her and her husband Frank were here to ask the Town Board to reconsider letting them place the eighteen year old doublewide on their property to be their home. She expressed how they love this town and the people in it. Also asked, how did the Town permit a trailer to be moved when it was supposed to stay on its site according to the law?

People were present to say they had no problem with the placing of a double wide in their neighborhood, others told what great people the Whitacre's are.

Attorney, William Duncanson, told the group that the law does not say no manufactured homes are to be placed in Ellington. He said the law is pertaining to manufactured homes older than 10 years old. Attorney told them that the home you are requesting to place is a 19 year old double wide. The Town Board does not have the power to make a variance to this law. It can be amended or abolished but will take time to do this. It's not about wiring it is about bringing in better housing stock to Ellington. The moving of the manufactured home was a mistake, as he is a new Building Code Officer. A manufactured home is not considered a sectional home as it is built on a chassis, even though you remove the wheels and tongue, modular homes, not built on a chassis, are sectional homes.

Motion made by Miles, seconded by Berg to close open session and go into Executive session.

VOTE: Miles-aye, Brainard-aye, Berg-aye, Chase-aye, Cronk-aye Carried.

Motion made by Brainard, seconded by Chase to close executive session and reconvene in open session.

VOTE: Miles-aye, Brainard-aye, Berg-aye, Chase-aye, Cronk-aye Carried.

No actions were taken in executive session.

Councilman Brainard said "because he knows what it is like to live in a mobile home and actually realizing there were six people that burnt up in houses in Ellington in the last 52 yrs, and none of them were mobile homes, therefore it is not a safety concern, I move that we rescind the law and take it away immediately." After a time, Supervisor commented that not hearing a second to this motion, no further action taken at this time. The local law stands as is.

Loren Kent was recognized by the Town Board. He asked that the Town Board please support the Library during the Budget process. Supervisor said we will take his request into consideration when Budget is worked on.

Audit & Payment of Claims

At this time the Town Board reviewed the bills as submitted:

General Fund Claim Nos:	#246 - #259	\$7,083.96
Highway Fund Claim Nos:	#121 - #122	2,3220.00
Trust & Agency Fund Claim Nos:	#20	<u>\$1,975.32</u>
ABSTRACT NO 18	TOTAL	\$11,379.28

Motion made by Berg, seconded by Chase to pay the bills as submitted.

VOTE: Miles-aye, Brainard-aye, Berg-aye, Chase-aye, Cronk-aye Carried.

Supervisor received the following check for deposit:

09/14/15 \$114.63 refund from Leighton/Hanson for blacktop purchase over tonnage
09/22/15 \$1,000. Donation check from Theodore Anderson for maintenance & repair of
Pioneer Cemetery.

Committee Reports

Supervisor noted that we have been in touch with the Library about having recreation together. The Library is planning a Halloween Party on October 24th, December 12th the Library will be making cookie "mason jars" and December 19th Santa will be at the Library from 11:00 to 1:00.

Motion made by Chase, seconded by Berg to accept the minutes of Sept. 9, 2015 as submitted.
VOTE: Miles-aye, Brainard-aye, Berg-aye, Chase-aye, Cronk-aye Carried.

Highway Committee will be meeting with the highway employees on Monday concerning terms of their contract.

Committee working on the Employee Handbook will set up another meeting.

Supervisor reminded the Town Board that Budget meetings will be held on Wednesday, October 7th and Tuesday, October 20th (with accountant) at 7:00p.m... Regular meetings will be held on Wednesday, October 14th and 28th at 7:00p.m.

Letter received from T & J Heating about a special for cleaning of the furnace.

Motion made by Chase, seconded by Berg to call TJ Heating about servicing the furnace at the Town Hall.

VOTE: Miles-aye, Brainard-aye, Berg-aye, Chase-aye, Cronk-aye Carried.

Town Park use request from Jess McIntyre to use the Park for a wedding on June 25, 2016.

Motion made by Miles, seconded by Berg to approve the request and move the Band Concert to the following Saturday if needed.

VOTE: Miles-aye, Brainard-aye, Berg-aye, Chase-aye, Cronk-aye Carried.

Received a phone call from Time Warner to cancel the contract for the rental of the "hub" at the highway bldg. Time Warner has pulled their equipment out but according to contract, which expires on September 30th, 2015, there was to be a 6 month notification by either party.

Motion made by Chase, seconded by Miles to accept the phone call as oral notification and send a letter asking Time Warner to pay rent for the continued 6 months as stated in the contract.

VOTE: Miles-aye, Brainard-aye, Berg-aye, Chase-aye, Cronk-aye Carried.

A resident on South Hill Road informed the Supervisor of a maple tree that has split and come down on the creek bank also another tree that is ready to go into the creek. Tree needs to be removed but the stump is to be left. Will ask Hwy. Supt. to look at trees by creek.

Highway employee, Niel G. Frazier will be retiring on Friday after 37 ½ yrs. working for the Town. We will have a small celebration at 3:30p.m. on Friday.

Highway Superintendent Report

Hwy. Dept. has been pot-hole patching. Had shared services with Cherry Creek for black topping and oiling and for Ellicott doing oil & stone. Ellington received shared services to help gravel Dean School Road and Wolcott Rd. Roads were then York raked and rolled. Oil & stone "spot patching" roads with help from Midland oil with their "bearcat" laying 4,000 gallons of oil. Safety Kleen has pumped out the dike around the fuel tank to keep clean. Part-time employee, Dick Young, has completed the staining of the "sign shed". Have been pulling shoulders on Leach Hill Road for 2 days. The concrete blocks that have been washed over by water, have been lifted from 28 Creek Road by the bridge. Have asked Poland's bulldozer to come reset the blocks for us. Installed a sluice pipe on Hagerdon Hill Road as Amish are logging on the Jay Meyers property needing to get across the ditch. The large piles of dirt on Harris Hollow Rd have been leveled. With the retirement of Niel Frazier, the Deputy Hwy. Supt., Dean Crandall will assume the responsibility of Deputy as of 9/26/2015. The new employee is Brian Best from Waterman Road. There were 34 job applications for this highway position. Brian has worked part time as a snow plow driver for the State and is fitting in well.

Motion made by Miles, seconded by Berg to accept the Hwy. Supt. report as submitted.

VOTE: Miles-aye, Brainard-aye, Berg-aye, Chase-aye, Cronk-aye Carried.

Town Clerk informed Town Board that 88 applications have been sent to mobile home owners in the Town of Ellington to show our need for mobile home *replacement* according to the NYS Community Block Grant. Applications need to be returned by the end of this week. The Town will be audited by the State for our last grant on October 28th.

Motion made by Berg to adjourn meeting at 8:56p.m.

Respectfully Submitted,

Karen G. Bifaro
Town Clerk/Recd Secy.