



Town of Aurelius
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TOWN COUNCIL

EDWARD IDE JR, SUPERVISOR
STEPHANIE CHURCH, DEPUTY SUPERVISOR
KATHLEEN CUNNINGHAM, COUNCILOR
STANLEY HOSKINS, COUNCILOR
ALEXANDER PATTERSON, COUNCILOR

TOWN BOARD REGULAR MEETING MINUTES 03/14/2019
APPROVED 4/11/2019

Members present: Supervisor Edward Ide, Deputy Supervisor Stephanie Church, Councilor Alexander Patterson, Councilor Stanley Hoskins, and Councilor Kathleen Cunningham

Staff Present: Planning Board Chairman Jerry Scouten, Clerk Debbie Pinckney, Highway Superintendent Kent Walter. Attorney Jeff Eaton arrived at 7:55pm.

Excused: Code Officer Howard Tanner

Public: see sign in sheet

1. Pledge to the Flag - Supervisor Ide opened the meeting at 7:00pm
2. Open to the Public (if any) –
 - a. George Rhodes - 6875 River Road – What is the date for the Boat Launch to open? Highway Superintendent Walter stated he has no idea, it's a DEC project.
 - b. George Rhodes – 6875 River Rd and Joseph and Colleen Romano – 7049 River Rd asked the status of the sale of the lots on River Road? Answer - Surveys are not completed.
 1. Supervisor Ide explained once the surveys are completed the thought is for the Town to begin by selling the vacant lots at auction and that price will be used as a basis for occupied lots. Mr. Romano stated he leases two lots and it would not be beneficial to him if you sell the vacant lot that I may want if I don't know what my lot will go for. Answer – the Town will auction those lots that do not have an active lease. The attorney is still working on the process, in the meantime, the Planning Board will begin the subdivision process and SEQR.
 - c. Harold Rex - 6877 River Road – asked if there is a resolution for what can be done with the travel trailers?
 1. Jerry Scouten Planning Board Chairman explained that the DEC did an inspection with Code Officer Howard Tanner in the Town along the Cayuga Lake shore line from the Aurelius Springport Townline Road to River Road and stated that all of River Road is in the flood plain except for one home and that campers are not allowed in a flood zone. Discussion

when they would have to be moved? Answer - Not sure what time frame the DEC requires.

3. Additions/Corrections to the Agenda (if any) -

1. Add to Correspondence:

- a. February report of Court fund allocation.
- b. Email from CCIDA with regard to a NYSERDA class at BOCES

4. Approval of Minutes – February 14, 2019

Resolution #23-2019 Motion by Church to approve the minutes of February 14, 2019 with corrections, second by Patterson. 5/0 approved.

5. Correspondence

- a. Office of State Comptroller Justice Court Fund statement for February. Town share is \$2,829.00. State's \$6,139.50.
- b. Email from Maureen Riester of the Cayuga Economic Development Agency with regard to the NYSERDA renewable energy goals and incentives as well as municipalities' responsibilities under Real Property Tax Law section 487 at BOCES on Monday, March 25th, 2019 at 2:00pm.

6. Committee reports

- a. Codes – Howard Tanner- no report. He is attending a Flood Plan Training this week.
- b. Planning – Jerry Scouten
 1. The Planning Board met to review the proposed Cayuga Milk Ingredients Site Plan for additional silos at 15 Eagle Drive. The paperwork is at the County Planning Department for 239 review next week.
 2. Councilor Hoskins asked about the outcome of the FL Drive-In signage/State DOT issue. Should the Town sign off to the NYS DOT? Discussion by the Board about electronic signage in other areas of our Town. Deputy Supervisor Church asked if the Board would have to consider updating our zoning law on signage? Scouten reminded the Board that what is on a sign is protected as a freedom of speech issue. The frustration is that the Town does not have the equipment to measure the brightness of this type of sign so if we sign off how will we be able to ensure the signage is within the state guidelines for brightness? The main concern is safety and preventing driver distraction. Our main concern is to make the State enforce their cease and desist order.
- c. Highway - Kent Walter
 1. Town replaced the driveways at Walker Rd and Chappell Road for O'Hara Land Enterprises LLC to accommodate heavier farm equipment. O'Hara paid for the culvert pipe, bands and crushed stone.
 2. Replaced the tires on the 2015 plow
 3. 2019 Silverado has been found and will be here within a week, the bill is in the abstract. \$32,316.50.
 4. Water Tower – had to purchase a replacement pump, as one of the 2 pumps was not working. The chorine builds up and they burn out. Need kind of pump ask Harold

5. Ellis Drive Pump Station on March 4th there was an overflow issue where we had to use additional chemicals.
 6. Shingles on salt shed came off again, will contact John Thurston as he had done the initial repair last year.
 7. Survey of River Road. Have not seen the surveyor there lately. Hoskins suggests we call them now that the weather is better to wrap it up.
- d. Bookkeeper – Martha Russell
1. Resolution to fully fund an employee’s HSA account – **Resolution #24-2019 Motion by Hoskins to fully fund an employee’s HSA fund. Second by Cunningham. 5/0 approved.** Hoskins noted he had reached out to Bookkeeper Martha Russell as initially the policy was to fund the HSA quarterly. Should we consider a change to the policy? Consensus to check with the HR as they work on the Employee Handbook.
 2. Working on year end process for closing 2018 books.
 3. Auditors are done with the preliminary work at the Town. They requested information from old CHIPS records so that they can put value on all of the Town owned roads into our capital assets. Was able to find most of the records dating back to 1982.
 4. Auditors are recommending a \$1000 threshold for placing assets into the Capital Asset Program. Bookkeeper will keep a separate inventory list of all those assets less than \$1000.00.
 5. Auditors will be at the May board meeting to present the audit report.
- e. Assessor – Jeff Lowe – no report
- f. Aurelius/Cayuga Rec – Debbie Pinckney
1. Program will continue through April with hours reduced to 5-7 on Mondays and Wednesdays for the month of April.
 2. Final art project will be painting silhouettes of the participants on the gym walls.
 3. Final program will be a performance of 3 short plays the last Friday in May.
- g. Clerk – Debbie Pinckney
1. See Monthly Report
 2. Request a resolution to hold a special election April 23, 2019. **Resolution #25-2019 Motion by Cunningham to call for a special general election April 23, 2019 to adopt or reject proposed Local Law #2-2019, pursuant to General Municipal Law § 478 of the State of New York.**

TOWN OF AURELIUS LOCAL LAW NO. 2 OF 2019

A Local Law to authorize the conduct of bingo games in the Town of Aurelius, pursuant to General Municipal Law § 478 of the State of New York.

SECTION

1

STATUTORY AUTHORIZATION AND PURPOSE

Section 1.1 *Title.* This Local Law shall be known as the “Bingo Law” of the Town of Aurelius.

Section 1.2 *Purpose.* It is the purpose of this Local Law to provide for the orderly and safe conduct of bingo games in the Town of Aurelius.

Section 1.3 *Statutory Authorization.* This Local Law has been adopted pursuant to and in conformity with General Municipal Law § 478, Town Law § 130(16), Municipal Home Rule Law § 10, and the New York State Constitution.

SECTION 2

DEFINITIONS

Section 2.1 *Definitions.* The words and terms used in this Local Law shall have the same meaning as such words and terms are used in Article 14-H of the General Municipal Law of the State of New York.

SECTION 3

BINGO AUTHORIZED; RESTRICTIONS

Section 3.1 *Bingo Authorized.* It shall be lawful for authorized organizations upon obtaining a license therefore to conduct games of bingo within the limits of the Town of Aurelius under the provisions of this Local Law, the provisions of the Bingo Licensing Law of the State of New York and any amendments thereto.

Section 3.2 *Restrictions.* That the provisions of the Bingo Licensing Law of the State of New York control the licensing of organizations and the conduct of bingo games in the Town of Aurelius and this Local Law incorporates the provisions of those statutes by reference as if set forth in full herein. Any inconsistency between this Local Law and said statutes shall be resolved in favor of those statutes.

Section 3.3 *Sunday Bingo Games.* The conduct of games of bingo on Sundays is authorized, except as otherwise restricted in the Bingo Licensing Law.

SECTION 4

ENFORCEMENT

Section 4.1 The powers and duties as set forth in sub-division 1 of section 484 of the General Municipal Law shall be exercised by the law enforcement officers of the Town of Aurelius.

SECTION 5

MISCELLANEOUS

Section 5.1 *Supremacy.* This Local Law shall supersede all previous laws adopted for the purpose of regulating bingo games in the Town of Aurelius.

Section 5.2 *Interpretation.* In their interpretation and application, the provisions of this Local Law shall be held to be minimum requirements, adopted for the promotion of the public health, safety, and welfare. Whenever the requirements of this Local Law are at variance with the requirements of any other lawfully adopted, rules, regulations, ordinances, or local laws, the most restrictive, or that imposing the higher standards, shall govern.

Section 5.3 *Separability*. If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances and the Town of Aurelius, by its Town Board, hereby declares that it would have enacted this Local Law or the remainder thereof had the invalidity of such provision or application thereof been apparent.

Section 5.4 *Effective Date*. This Local Law shall become effective upon the date of filing same with the Secretary of State. **Second by Church. 5/0 approved.**

3. Trial Balance to date for 2019 Tax Collection - \$2,479,453.99
4. Request a Resolution to approve Water Adjustments. **Resolution #26-2019 Motion by Cunningham to approve the adjustments as presented. Second by Patterson. 5/0 approved.**
5. River Road updates – evictions still a work in progress
6. Credit Card processing – had looked at Elavon and Tompkins Trust for their credit card processing. Although the service charge is 2 ½ % (currently ours is 3 ½%) it requires having an account at Tompkins Trust and I am not prepared to use another bank at this time.
7. Received a FOIL request from Jared Lusk of Nixon and Peabody on behalf of CMI. Discussion about the reason for the request. The data requested is to see if any other water/sewer user dumping into the Ellis Drive Pump Station is paying any of the costs for cleaning out the Pump Station.
8. Request from Cheryl & Dave Hunter for a onetime waiver of the penalty on their water/sewer bill as they did not receive their water bill in January. Note – they have never been late with a payment. **Resolution #27-2019 Motion by Cunningham to approve the penalty waiver. Second by Patterson. 5/0 approved.**

Attorney Jeff Eaton arrived at 7:55pm.

7. Executive Session – Request a Resolution to move to Executive Session for the purpose of discussing the proposed sale or lease of real property, for the sale and/or lease of real property, and discussions regarding proposed, pending or current litigation.

Resolution #28 – 2019 Motion by Cunningham to move to executive session at 7:55pm. Second by Church. 5/0 approved.

Returned from executive session at 9:30pm. No action taken.

8. Old Business

- a. State Police Barracks Lease – handled under executive session
- b. CCWSA and Water District 1 – handled under executive session
- c. Water District 1 – Map and Plan Report update – still a work in progress

9. New Business - none

10. Transfers (if any) – none

11. Audited Vouchers

Approval of Abstract #3 – 2019 bills

Code	Fund	Prepays	Unpays	Totals
A	GENERAL FUND	\$5,047.19	\$12,875.82	\$17,923.01
B	GENERAL FUND PART TOWN	\$922.35	\$11,359.29	\$12,281.64
DB	HIGHWAYFUND PART TOWN		\$50,973.11	\$50,973.11
SL1	LIGHTING DISTRICT 1	\$325.32		\$325.32
SL2	LIGHTING DISTRICT 2	\$89.63		\$89.63
SS1	ELMHURST SEWER DISTRICT	\$3,039.40	\$18.35	\$3,057.75
SS2	SEWER DISTRICT 2	\$26,794.16	\$2,819.43	\$29,613.59
SS3	SEWER DISTRICT 3	\$18.98	\$89,193.92	\$89,212.90
SW1	WATER DISTRICT 1	\$11,544.38	\$2,102.39	\$13,646.77
SW2	WATER DISTRICT 2	\$27,343.25	\$203.27	\$27,546.52
SW3	WATER DISTRICT 3	\$574.24	\$28,338.03	\$28,912.27
TA	TRUST & AGENCY	\$6,037.91	\$1,350.00	\$7,387.91
	TOTAL:	\$81,736.81	\$199,233.61	\$280,970.42

Resolution #29 – 2019 Motion by Church to approve Abstract #3-2019 Cunningham. Second by Cunningham. 5/0 approved.

12. Adjournment

Resolution #30 – 2019 Motion by Church to adjourn at 9:15pm. Second by Cunningham. 5/0 approved.

The next meeting is April 11, 2019

Respectfully submitted by Clerk Debbie Pinckney