

OFFICIAL
TOWN OF FLOYD BOARD MINUTES
JULY 2, 2013

Supervisor John F, Buczek called a regular meeting of the Town of Floyd Board to order at 7:00 P.M.

Town Officials present were: Town Supervisor John F. Buczek, Councilwoman Marjorie Myers, Councilmen Willard H. Streiff Jr., Daniel Schwertfeger, Charles E. Planow, Town Clerk Georgianna Larry, Highway Superintendent Jerome E. Alexander Jr., Working Supervisor (Sanitation) Lawrence Gruby, Buildings and Codes Enforcement Officer Eugene Kotary, Historian Edwin Evans, Constable Lloyd Miller, NOCCOG Municipal Advisor Susan Martin, Town Attorney David Rapke, Assessor Patricia Roser, Water Superintendent Michelle Kotary, Planning Board Member James Nuessle, Assessment Board Review Member Robert Evans, County Legislator James Murphy.

Supervisor John F. Buczek led us in the Pledge Allegiance to the Flag.

Councilman Daniel Schwertfeger made a motion to approve the June 4, 2013 Board Minutes as presented by the Town Clerk, seconded by Councilman Charles E. Planow, carried.

The Town Clerk announced that all the Warrants are posted on the Bulletin Board. Councilman Willard H. Streiff Jr. made a motion to pay the General Warrant Bills from Claim # 13A281 to Claim # 13A329, Total of \$12,611.77, seconded by Councilman Charles E. Planow, carried.

Councilman Charles E. Planow made a motion to pay the Refuse & Garbage Warrant Bills from From Claim # 13SR086 to Claim # 13SR099, Total of \$13,896.24, seconded by Councilwoman Marjorie Meyers, carried.

Councilman Daniel Schwertfeger made a motion to pay the Highway Warrant Bills from From Voucher # 13DA119 to Voucher # 13DA148, Total of \$27,543.61, seconded by Councilman Charles E. Planow, carried.

Councilman Charles E. Planow made a motion to pay the Water Improvement Warrant Bills from From Claim # 13SW078 to Claim # 13SW090, Total of \$1,774.01, seconded by Councilwoman Marjorie Meyers, carried.

Councilman Daniel Schwertfeger made a motion to pay the Trust and Agency Account Bills from From Claim # 13TA081 to Claim # 13TA096, Total of \$2,099.45, seconded by Councilwoman Marjorie Meyers, carried.

1) Oneida County Legislators:

- a) James Murphy gave information about NYS contact telephone numbers for residents affected by the recent flooding. He also talked about CFA funding applications and the skate park project may fall within the guidelines for funding.**
- b) Comments: Redeeming Restoration, a locally owned company on Price Rd asked if they could leave their company information for anyone needing assistance with flood restoration.**
- c) Highway Superintendent, Jerome E. Alexander Jr. commented that the County has not mowed the roadsides within the Town of Floyd that they are responsible for maintaining. Murphy responded that the Roadside Mowing Agreement has been passed stating they should have been mowing already. The Highway Superintendent has not seen any mowers in the area and the grass is very high. Mr. Murphy will look into it and get back to him.**

2) Northern Oneida County Council of Governments Municipal Advisor Susan Martin and Gerry Ritter ask that we keep track of all information on flooding for FEMA reimbursement.

Susan Martin also commented on the Solar Project. She had nothing more to add and the bids should be coming in soon. There was discussion about the bid date and the the confirmation of the grant award between Councilwoman Marge Myers, Supervisor Buczek, Town Attorney David Rapke and Susan Martin. It was explained that the grant is a refundable grant. Councilman Streiff added that he and Highway Superintendent Jerome E. Alexander had visited Vienna Highway Garage and Vernon Town Hall that both have a Solar System. Vernon was very pleased with the System Two Brothers installed in 2010 for them and that it is beneficial. Vienna's System was also installed in 2010 by a company from the Albany area and they also are very pleased. Comments from the public were concern that if the NYSERDA Grant did not come through would the taxpayers have to carry the burden of the bill. The Town would make every effort to pay the bond without burdening the taxpayers. A resident stated that Town of Trenton denied the idea of solar power for their town. Susan stated NOCCOG had contacted Trenton and grant money was not available to them. The same resident asked for an update on getting water to Area D. Councilwoman Marge Myers and Councilman Willard E. Streiff both addressed that issue stating the grant money made available would benefit the whole town if used for the Solar but would only benefit part of the town if made available for Area D.

3) Report from Code Enforcement Officer Chuck Streiff.

Reports has had 7 permits this month. Has received confirmation from FEMA regarding the Local Law pertaining to the Flood Plain Insurance Program. They will be sending updated Flood Plain Maps within 2 months.

Chuck reported on violations: 7 letters were sent out to residents on clutter. Tall grass has been an issue on homes in bankruptcy within the town. The banks have been notified to comply. If the homes are in foreclosure which can take up to 3 years, the town at that point will have trouble getting anyone to clean up these properties. Local Law was suggested by Chuck Streiff for the town to contract the mowing out and that Rome has an ordinance that applies reimbursement for those services toward the homes taxes. Councilman Charles E. Planow had some questions about that process and will contact the Planning Board. Building Codes Officer Eugene Kotary stated that the Property Maintenance Code states the grass should not be anymore than 10 inches tall.

4) Reports from Building and Fire Codes Enforcement Officer Eugene Kotary.

Building and Fire Code reported that a total of 27 Building Permits have been issued this year. Seven Building, 2 Sanitation this month.

Mr. Kotary reported the following regarding the Unsafe Structure located on 8342 Old Floyd Road. November 2012 he received a letter of complaint. He then sent formal letters to comply with the existing Building Codes, Fire Code, and Property Maintenance Code. Next, he reported that he had a formal inspection speaking with the owner of the property to pursue the owner's desire to repair the Unsafe Structure. Both the owner and Eugene Kotary agreed the structure was unsafe. On June 21, 2013 Mr. Kotary condemned the Unsafe Structure at 8342 Old Floyd Road. The owner's desire is to repair the structure to its prestructurely damaged state using materials of the same size and shape. Refer to 2010 NYS Building Codes Section 506. Formal evaluation of this structure was conducted by a Professional Engineer, written violation dated June 23, 2013 is on file stating structure is repairable. Mr. Kotary issued a notice of formal inspection. Town of Floyd Local Law #1 of 1996 states that the Building Inspector shall make a formal inspection of the Unsafe Structure and report in writing to the Town Board his findings and recommendations for their decision. Mr. Kotary told us that the owner is boarding and blocking the openings of the structure for any authorize or unauthorized entry. The owner is removing the roof immediately and taking care of the wall of the structure that faces his neighbor. The structure is condemned, only the owner may repair it.

5) Historian Edwin Evans requested the Town Board approve a Memorial Service at the Camroden Church he would like host for his sister Jean Brennan on July 13, 2013. The Board approved with their condolences.

The Town Board had a Public Hearing regarding granting a Cable Television Franchise as per Time Warner Agreement.

- i) A brief statement about the Franchise was given from Town Attorney David Rapke. Our existing contract with Time Warner is good until December. There are a number of changes Alice Kim from Time Warner Cable will be making and will be getting a proposed draft back to the Town. Carol McTag from the Office of Municipal Assistance will be reporting to the Town, numbers on the impact of any franchise fee's on the average customer if the Town Board were to move in that direction. The Town Board tabled the agreement as advised by Town Attorney.
- b) Comments from Northern Oneida County Council of Governments Municipal Advisor Susan Martin and several of us involved and relating to the advertisement of specifications for the purchase, installation of Solar Panels and what concept we are interested in.

We have expanded our project with another Solar Panel Vender, Fate Grid Solar, recommended by State Assemblyman Anthony Brindisi. On Friday June 14th, and again on June 26th with Willard Streiff, Larry Gruby, Lloyd Miller and John F. Buczek have met with the Firm and gained a great deal of knowledge.

Motion made by Councilman Daniel Schwertfeger to modify a previous motion and authorize our Town Attorney David Rapke and Town Clerk to advertise in the Legal Notice of the Rome Sentinel the Specifications and Request Bids for the Installation of a Solar Panel System for the Town Hall and the Highway Garage. And the Bids will be opened at a special Town Board meeting to be held on July 17, 2013 at 7:00. P. M., seconded by Councilman Charles E. Planow, carried.

- c) Sand Bid proposal is tabled until September's Board Meeting.
- d) Supervisor Buczek commented on requests that are being made for funding from interested business owners of the Town of Floyd. He contacted Peter Zawko Vice President of Economic Development of EDGE/GLDC and will provide the proper links to the interested businesses.

- e) Town Attorney David Rapke filed with the NYSDEC a notification of the Town of Floyd, a copy of Local Law No. 2 of 2013 Facilitating Flood Damage Prevention. He has received correspondence from DEC that the Local Law was acceptable. He has filed it with the Department of State and when gets that back will send a copy to the Town Clerks Office and a filed copy to the DEC who is acting as the payment representative.
- f) The Town received correspondence from NYS Department of Transportation regarding Transportation Enhancement Program Funding. After discussion the Board decided not to become involved with this program.
- g) Town Assessor Patricia Roser is requesting to file for retirement under the NYS Employees retirement system. Certain provisions need to conform to the requirements and Pat addresses those requests in her letter to the Town Board.

Councilman Charles E. Planow made the motion to accept the resignation of Assessor Patricia Roser effective July 31, 2013 and to reappoint Patricia Roser to her unexpired term effective August 1, 2013 through September 30, 2013. Seconded by Councilman Daniel Schwertfeger, carried.

Councilman Willard H. Streiff Jr made the motion to reappoint Patricia Roser to a six year term of October 1, 2013 through September 30, 2019, seconded by Councilman Charles E. Planow. Town Clerk Georgianna Larry was requested to take a roll call vote.

Ayes- Town Supervisor John F. Buczek, Councilwoman Marjorie Myers, Councilmen Willard H. Streiff Jr., Daniel Schwertfeger, Charles E. Planow.

Nays-None
The motion was adopted.

Further be it Resolved, the Town Officials express their appreciation for the hard work and effort she has exercised during her previous term. We Thank You Very Much.

a) Report from Members of the Town Board:

- i) We have had interested Residents requesting an opportunity to approach the Town Board for the installation of a Skate Board Facility and a Bike Park. Larry Gruby and I visited the City of Rome Skate and Bike Park and paid a visit to Public Works Commissioner Frank Tallarino Office and visited with the Athletic Director and gained much information in setting one up for our community.**
 - (1) Corbin Tittus and Dyllan Steiger gave a well thought out and informative presentation for the Park. There were questions from the Board regarding liability insurance and how many involved parents there might be interested. The Town Board would like to research more on the project.**
- b) Highway Superintendent Jerome Alexander, Jr. reported they have had flooding on Smith and Wynn Roads and on some County roads. Some roads are closed due to the flooding. They have been cutting trees. Stone has been hauled in for roadwork ahead, will be crack sealing when return from the Highway Department July 1-5, 2013 shutdown. Has been roadside mowing twice this summer. The parking lot at Town Hall will be oil and stoned.**
- c) Sanitation Supervisor Larry Gruby had nothing to report.**
- d) Water Superintendent Michelle Kotary was asked when the water hydrant available for residents is opened. They had to order parts prior to opening it up for residential use.**

Motion to adjourn at 9PM made by Councilman Willard H Streiff Jr., seconded by Councilman Daniel Schwertfeger, carried.

Georgianna Larry