

PLYMOUTH TOWN BOARD MEETING

MARCH 14, 2022

6:30PM

PRESENT: Supervisor Grace Nucero-Alger
Councilman Daniel Meyer
Councilman Frank Williams
Councilman Shawn Cushman
Councilman Garry James
Highway Superintendent Rodney Oakley

Supervisor Alger brought the meeting to order. She led in the Pledge to the Flag. She asked the Board if there were any additions or corrections to four meeting minutes. She started with the January 17, 2022 Town Board Meeting. Mrs. Alger asked that the sentence "One Councilman's seat was vacant." be removed because it had already been written before that. She also wanted "Mr. Shawn Cushman had expressed to her that if a vacancy occurred, he would be interested in the position." be added after the words "there had been no interest in the past." She also questioned how the Dog Control Officer's report would be entered in the minutes going forward. Mrs. Brown said she would enter the full report. Mrs. Alger asked Mrs. Brown to remove "Nothing has happened." under the Code Enforcement Officer's Report. Mr. Dan Meyer made a motion to accept the January 17, 2022 minutes as corrected. Mr. Frank Williams seconded the motion. The Board was polled and the motion was carried with five yeases and no nos.

The February 14, 2022 minutes were reviewed. Mr. James referred to the portion of Letters and Communications where Mrs. Brown stated that the anticipated increase in the cost of enabling Plymouth youth to participate in the Norwich Youth Bureau activities "would be well worth it to give the children from the

Town of Plymouth something constructive to do to stay off the streets.” He said everyone agrees with that but it was not really Mrs. Brown’s job to be involved in discussions. Her job was just to take the minutes. He also said that Mrs. Brown had asked the Board to make a motion to accept Mr. Kreiner’s letter of resignation. He said that she can’t ask the Board to make motions. Mrs. Brown responded that she can if she feels that it is according to law. Mrs. Brown thought that the motion was needed to be in the minutes so a copy of them could be forwarded to the Board of Elections. She said she was corrected on that by the Board of Elections when she asked them. It was not needed because Mr. Kreiner’s letter did not say the word resigned. It only said that he would not be taking his Oath of Office for the term beginning on January 1, 2022. Mr. James wanted the minutes to read that Mrs. Brown had asked Supervisor Alger to get the Board to make a motion. Mr. Williams made a motion to approve the minutes as corrected. Mr. Cushman seconded the motion. The Board was polled and the motion was carried with five yeses and no nos.

The January 4, 2022 Special Meeting minutes were reviewed. Mr. Williams made a motion to accept the minutes. Mr. James seconded the motion. The Board was polled and the motion was carried with five yeses and no nos.

The February 8, 2022 Special Meeting minutes were reviewed. Mr. Cushman made a motion to accept the minutes. Mr. Williams seconded the motion. The Board was polled and the motion was carried with five yeses and no nos.

DOG CONTROL OFFICER’S REPORT: Mr. Franklin reported the following:

- 3/11/22 Stray dogs German Hollow Road went to SPCA
- 3/12/22 Stray dog Rt. 23 went to SPCA
- 3/14/22 Stray dogs owners found tickets given Rt. 21
- Bought printer copier \$159.99

Mrs. Alger asked Mr. Franklin if he had had a chance to follow up with the SPCA on why the recent State audit resulted in an unsatisfactory report. He said it was

a miscommunication between the SPCA and the State. Mr. Franklin expressed that he was not happy with the conditions and care that he has seen there.

CODE ENFORCEMENT OFFICER'S REPORT: Mr. Fox reported on the following:

- Served Robert Backer on Inman Road a notice of violation for junk and motor vehicles. They said bad weather was a problem. He said if they got started on it, he would work with them.
- Spoke with Raymond Knowles on Ashcraft Road about the junk mobile home he has sitting there. He said when the driveway dries out, he will get rid of it.
- Spoke with Kelly Johnson and her husband. They said they would work on getting the garbage and junk cleaned up.
- Made a site visit to 3303 State Hwy. 23, Mike Bishop's place. He will work on the junk.
- Stopped by the Forrest Sayles's property where there is a lot of garbage. Mr. Fox is trying to track down the family.
- Issued a Salvage Yard permit to Lawrence Hutchings which is good for one year.

HIGHWAY SUPERINTENDENT'S REPORT: Mr. Oakley reported on the following:

- Plowed and sanded.
- Unplugged several culverts
- Got a big load of culverts in, so will be replacing a lot of them
- Started brooming the roads
- Fixed a bunch of breakdowns
- Completed and sent in the paperwork for the grant that Mr. Oakley had applied for to be used to fix Old 23. Mrs. Alger asked if FEMA would reimburse the Town for any of that job. Mr. Oakley said that FEMA doesn't reimburse an event such as the one that caused the damage.

- Working with FEMA on the culverts on Montgomery Road. This is the only open project at this point. It is going through Hazard Mitigation. He will be meeting with engineers to go through an H & H study which FEMA requires.
- Mr. Oakley was elected President of the Association of Towns of Chenango County.
- Reported that there is a petition being circulated to initiate a program where ATV riders would be able to purchase a sticker giving them the right to ride on the roads in the Town of Plymouth. Proof of insurance and registration would be required. Other Towns are considering it as well.
- Mr. Oakley asked Steve Fox if it was against the law to plow ones driveway and leave snow out in the road. Mr. Fox said yes. Mr. Oakley said a lot of people do it, it freezes and causes problems for the Town plows when they hit it. Was that something Code Enforcement could enforce. Mr. Fox said no. It is the responsibility of the Sherriff's Department.

Mr. Oakley announced to everyone that the Town was looking for land to build a Town garage on. They found a property. Other ones have been looked at but were not satisfactory for their needs. Ms. Fairbanks asked where the properties were. Mr. Oakley said one was Josh Winchell's property and there were a couple on County Rt. 44 and Adams Road. Mr. Oakley said he felt the Winchell property was the most viable. The cost would be \$325,000.00 for 85 acres of land which includes a garage that would have to added on to. Ms. Fairbanks objected to the cost and size of the lot. She said she would like to come to a Planning Board meeting and she would like to see some of the paperwork showing the estimates. There was a lot of discussion about the project. Ms. Jackie Kreiner asked if there would be any grants available for this project. Mrs. Alger said that it was a probability. Ms. Fairbanks asked how much land was actually needed for the Town Garage. Mr. Oakley said a minimum of 5 acres. Mr. Cushman said ideally they should have 10 acres. Ms. Jackie Kreiner asked what percentage of the Town's population were senior citizens. Mrs. Alger said she would get that figure for her. Mrs. Brown read

an excerpt from the minutes of January 4, 2022 where the Board collectively said they thought the purchase of the Winchell property was not a good idea. Mrs. Brown wanted to know what changed their minds. Mrs. Alger said they changed their position after listening to the Planning Board and Mr. Oakley. Mrs. Brown expressed her opinion that the Winchell property was too much land for too much money. She said it would be a foolish and irresponsible use of public money. She felt that more work should be put into checking out alternative options. Mrs. Alger said the Board would continue to update everyone on this issue.

LETTERS AND COMMUNICATIONS: Mrs. Alger said she was looking to the Town Board to approve an Investment Policy which is mandated by New York State.

Mrs. Alger also said that a signed Resolution appointing Shawn Cushman to the vacant councilman's seat was needed. She asked everyone to look through their paperwork to see if they had it.

Mrs. Alger brought up the subject of the Norwich City Youth Program's possible increase in the charge to the Town. She had asked a member of the committee and they said nothing had been established as of yet.

BOARD CONCERN'S: Mr. Cushman asked Mr. Fox about the oil in barrels on the property on the corner of Plymouth/North Norwich and Rt. 21. He wanted to know if that was something that Mr. Fox could press the land owner into removing. Mr. Fox said he had tried. He said that the quantity that was there was not illegal. He said the Town could take action to have the barrels pumped out if they wanted to. Mr. Cushman wondered if the DEC would do anything about it. Mr. Fox said it was not a DEC issue because the barrels were not leaking. Mr. Prisco asked about the possibility that the Town Garage could use the oil to burn. Mr. Oakley said his drum was full. If the Town did want to use it, the Town would have to take legal action and get something in writing.

PUBLIC CONCERNS: Mr. Tom Kreiner pointed out that there is a pond behind the building on the Winchell property. He wanted to know what would be done with that. Mr. Oakley said he thought it would be a good idea to put in a dry hydrant. Mr. Kreiner also said that his property borders some of the Winchell property. He suggested that test holes be dug to be sure that there was gravel on the property before the Town buys the land because he thought that there was only hard pan and clay there. Mr. Oakley said that on the opposite end of the property, there was an old area where someone had previously dug, that he thought there was gravel.

Mr. Jim McCormick introduced himself and said he lived on County Rt. 21. His concern was with his neighbor. He had talked to Mr. Meyer and Mr. Fox about it. In 2020, his neighbor was having a problem with his septic system. It was determined that he needed a new leach field and some other parts. He went through the State and got a new leach field put in. The leach field extended 20 feet onto Mr. McCormick's property. He passed out survey maps to the Board which revealed this. He also passed out a permit map. Mr. McCormick said it was a clear violation of the permit. He asked that something be done about it. He said he can't sell his house until the issue is resolved. Mr. Fox asked if the Board was ready for an explanation. He said he had e-mailed Mr. McCormick. Mr. Fox said it was an Opportunities for Chenango project. There was an engineer involved. Mr. Fox did the inspections. He issued the permit. He said that the permit map that was provided to the Board was not a correct map. The leach field was moved from what the map shows. Between Mr. Fox, the person from Adsit Excavating who did the work, Bill Lewjinski representing Opportunities for Chenango, and Engineer Jason Fleming from Depot Engineering, it was agreed that it would be better for the system to move the leach field down the hill a little. It's a Norweco Treated System, so the water gets treated. At the time, Mr. Fox said he knew the leach field was in violation of 75A Sanitation Laws, but being we are home rule, we can change things like that. So when this was put down there, the excavator operator, Jake Pinney, put a string from pin to pin that

was on that property that the home owner, Mr. Derrick Miller showed Jake, Bill , and the engineer. The property was not surveyed at the time. The last line was going to be about three feet close to the property line. That would have been a violation, but everyone agreed that since it was going to be a treated system, it would be okay. So, Mr. Fox said, as far as the Town is concerned, this issue is between Mr. McCormick and Mr. Miller. It will be a civil matter. Mr. Fox said there was nothing that the Town could do to help Mr. McCormick. Mr. McCormick pointed out that a corrected map should have been attached to the permit. Mr. Fox agreed and said he would provide one.

Ms. Fairbanks commented on a property on Morley Road that looks like a junk yard. The property is owned by Pete Brown. Mr. Fox said if she would file a complaint, he would go look at it. She did not want to sign a complaint. She also expressed concern about Cushman's garage that is falling down. She questioned that it was a hazard. Ms. Fairbanks also asked how much the Town is making on the cell tower. Mrs. Alger replied, \$1,500.00.

Mr. Jim Earring asked if the Board had heard anything about a new camp ground that is being planned on Reservoir Hill. No one from the Board had heard anything. Mr. Fox said it was going to be on property owned by John Richards. Mrs. Charlene D'Sha asked Mr. Oakley if he had the sign she requested. He said yes. She wanted to know when it was going to be put up. He said when the ground thawed.

Ms. Fairbanks asked for a copy of the budget and updated financial reports. Mrs. Brown said she would have them ready for her on Tuesday.

The next Board meeting is Monday, April 11, 2022, at 6:30pm.

The Board reviewed and signed the bills. Mr. Williams made a motion to pay the bills. Mr. Meyer seconded the motion. The Board was polled and the motion was carried with five yeses and no nos.

Mr. Cushman made a motion to adjourn. Mr. Meyer seconded the motion. The Board was polled and the motion was carried with five yeses and no nos. The meeting was adjourned at 8:35pm.

Respectfully submitted by,

A handwritten signature in cursive script that reads "Virginia E. Brown". The signature is written in dark ink and is positioned above the printed name.

Virginia E. Brown

Plymouth Town Clerk

March 24, 2022