

Regular Meeting of the Ledyard Town Board
June 12, 2017
1099 Poplar Ridge Road, Aurora, NY 13026

The meeting was called to order at 7:30 pm. Councilman John Binns was absent. Councilman Jim Frisch arrived at 7:32 pm.

PRESENT: Mark Jordan, Supervisor
Jim Frisch, Councilman
Dan Green, Councilman
David Bennett, Councilman
Stephan Arnold, Highway Superintendent
Rose Marie Belforti, Town Clerk

OTHERS: Tammie & Scott Martin, 2369 Sunset Beach Rd., Aurora
Andy & Chris Craver, 2343 Sunset Beach Rd., Aurora
Jan Knout & Chet Brion, 2351 Sunset Beach Rd., Aurora
Joe & Donna Signs, 2385 Sunset Beach Rd., Aurora
Dave Seaver, 2381 Sunset Beach Road, Aurora
Michael Phelps, 2381 Sunset Beach Road, Aurora
David Brong, 2425 Sunset Beach Road, Aurora
Rich & Brooks Ward, 97 Center St. Waverly, 14892
Clare Eversdyke, 2359 Sunset Beach Rd., Aurora
Ron & Deb Merriman, 2373 Sunset Beach Rd., Aurora
Phil Dann, 2347 Sunset Beach Rd., Aurora

PLEDGE-REMEMBER TROOPS

PRIVILEGE FROM THE FLOOR: Attorney Charles M. Thomas of Auburn, NY appeared before the Town Board for questions regarding appointment of Ledyard Town Attorney. He has done litigation, mostly felonies, misdemeanors and civil rights cases, but has done no town business. He works alone, no secretary, has been practicing law for 24 years and in Auburn, NY for 15 years. He would like to know what is in the Ledyard Town Budget for the Town Attorney position. He will speak with Adam Van Buskirk re the current Reilly assessment case. He also said he has applied for Assistant Corporate Council for the City of Auburn if he is chosen there may be a conflict of interest with representing a Cayuga County town. He will let the Ledyard Board know if that would be an issue. Supervisor Mark Jordan said he has no problem putting the Town Attorney on a retainer. Either way will work for Attny. Thomas he said.

On motion by Jim Frisch, seconded by Dan Green, the Town of Ledyard Board approved the hire of Atty. Charles M. Thomas for the 2017 appointment of Town of Ledyard Attorney to be renewed annually.

4 Ayes, 0 Nays

Many residents of Sunset Beach Road, Aurora appeared before the Ledyard Town Board regarding the Lake Road erosion issue as it applies to the residents of Sunset Beach Rd. and the clearing away of debris by the home owners who live along the embankment on the east side of Sunset Beach Road at the bottom of the embankment. Here are some of the comments:

David Brong: He believes the issue is a personal property issue rather than a Town Board issue.

He does not think anyone is digging into the cliff side and that nothing would change if a new law was passed relating to this issue. David said that residents clean up after the storms (landslides) and he does not think the cleaning up is causing more erosion at the top.

Rich Ward from Waverly has a cottage on Sunset Beach Road. He said he does not see that there is an issue.

Chet Brion: Would like to see an engineering study. There are some places that have problems, not all. Consider moving the road as an option.

Supervisor Mark Jordan said that if the road can be preserved, it will be preserved.

Chet said that if he wanted to dig into the cliff he would need a permit from the Code Officer. Mark Jordan said that the Zoning Law states that if you dig into the cliff more than a 45 degree angle a permit is required.

Phil Dann: Phil Dann would like to know what stated problem is for this discussion. Mark Jordan said the issue is to preserve Lake Road, and if the digging into the embankment stops, there will not be a problem.

Phil said that there are a few places that have issues. He described the shale bed and why it creates problems and said that cleaning up the sluffing will not cause more problems, and that the entire embankment will eventually come down whether there is digging or not. It is a problem with mother nature.

Joe Signs: Joe said he has been coming to Sunset Beach Road for 60 years. The area is subject to freezing and thawing causing the cliff to erode and come down. He said there are woodchucks and squirrels all over it, running up and down. Joe and his wife sit out in the evening and can hear the embankment falling down. He said that if you go up to McKenzie Childs area where there are no cottages the cliff is slipping there as well due to natural causes.

Scott Martin: He agrees that there should be no digging into the cliff side but if there are slides, the residents must clear it out. What will we do, he said, if the Town Board decides to take away their ability to clean up?

Mark Jordan said the Town has no problem with cleaning up after a storm, but that it should only be clean up, and not go beyond the road.

Richard Ward: He has an outhouse that has been there for 50 years and the shale that falls covers it up. He wants to know if he can clean that up.

Clare Eversdyke: He said that these problems were made by their parents who purchased these properties and the current owners are being blamed for it.

Mike Phelps: He has concerns with runoff water. The cliff is sloped, not a 45 degree angle, and still the embankment is coming down. His property goes back to the bottom of the cliff. What does he do when he has to clean around the existing outhouse? He wants to know why a local law is being considered to prohibit clean up, he just wants to be able to remove the debris the way he always has done it.

Andy Craver: If dirt and debris is falling from Leonard Jordan's property why are the Sunset Beach Road residents liable for that?

Mark Jordan said it is mother nature doing the damage, not Leonard Jordan.

Andy Craver said why does that reasoning work for the Jordans and not for the Sunset Beach residents?

Joe Signs: He said the Sheriff and State Police were on Sunset Beach Road because he hired them. He said his father told him that if you take 3 shovel loads out of the debris area, 12 more will come down.

He said the Jordans should get their land surveyed to see what they have. Joe said he has surveyed his own property and expects the Jordans to do the same.

Phil Dann: Again he asks the Town Board what is the problem? Someone state the problem that is being considered. He said he cut down cedar trees and now he sees more erosion.

He said that Mark Jordan spoke to David Brong about the Town Board considering a new Resolution to address Lake Road embankment issues.

Chet Brion: The embankment problem is already addressed in the Town Zoning Code. He asked why do we need more laws? The property lines, he said, are covered up with debris anyway, so how would you know where to begin. He said there is no need for another law. The Town should survey the area.

Brooks Ward: He said the Town should compare the cost of moving Lake Road to the cost to build a retaining wall.

Highway Superintendent Stephan Arnold suggested getting Cayuga County Soil & Water Dept. involved with the Lake Road embankment problem.

APPROVE MINUTES: On motion by Jim Frisch, seconded by David Bennett the Minutes for May, 2017 were approved as submitted.

4 Ayes, 0 Nays

APPROVE REPORTS: On motion by Jim Frisch, seconded by David Bennett, the Supervisor, Clerk, and Code Officer reports were approved as submitted.

4 Ayes, 0 Nays

TOWN HALL ADDITION: Mark Jordan spoke with Gary R. Bush, PE of 132 West Groton Road, Groton, NY 13072 about designing the proposed Town Hall addition. He quoted \$12,500 to write up a set of plans and have them

ready to bid out to builders. On motion by Jim Frisch, seconded by David Bennett, the Town of Ledyard approved the hire of Gary R. Bush to draw plans for the Town Hall addition and present a package to the Town Board that will be ready to bid out to contractors at the quoted \$12,500.

VOTE: 4 Ayes, 0 Nays

GRIEVANCE DAY BOARD OF ASSESSMENT REVIEW: Town of Ledyard Board of Assessment Review heard 11 property grievances.

WEBSITE UPDATE: Clerk Rose Marie Belforti reported that she has a volunteer, Roberta Militello, who uploads changes to the website, including adding the Minutes for Town and Planning. Rose reported that all Minutes for Planning and Town Board meetings have been submitted to Roberta for upload.

OLD/NEW BUSINESS: Legislator Keith Bateman told Mark Jordan that there is a 25 acre hydrilla infestation in Lake Cayuga out from the Village of Aurora. The Town was asked to donate funds to eradicate it, but the Army Corp of Engineers stepped in and met the need. Mark said the Town of Ledyard should not be responsible for this effort and the responsibility should be with NY State.

Finger Lakes Dog Protection has had successful inspections by NYS.

Excellus Insurance rates have increased 11.6%.

HIGHWAY REPORT: Highway Superintendent Stephan Arnold reported details for renting an Arm-Mower. On motion by Jim Frisch, seconded by Dan Green, the Town Board approved the rental of one Arm Mower from SEI (Stevenson Equipment Incorp.) for the price of \$5,400 per month for one month. Insurance on the equipment is required, and if the flail breaks, the Town pays for it.

VOTE: 4 Ayes, 0 Nays

PAY BILLS: On motion by Jim Frisch, seconded by Dan Green, the bills on abstract #006, #118-139; A=\$6,080.67; B=\$99.49; DA=\$0; DB=\$68,746.47 were approved for payment.

VOTE: 4 Ayes, 0 Nays

ADJOURN: On motion by Jim Frisch, seconded by David Bennett, the meeting was adjourned at 9:55 pm.

VOTE: 4 Ayes, 0 Nays

Respectfully Submitted,

Rose Marie Belforti
Ledyard Town Clerk