



TOWN OF CAIRO

GENERAL/REGULAR MEETING AGENDA

September 12, 2012 @ 4PM

Location: Town Hall, Cairo

Call to Order

Pledge of Allegiance

Attendance

Comments

Approval of Minutes: August 22, 2012 & September 5, 2012

Work Sessions with Departments as applicable

Appointments & Resolutions

Unfinished Business

- **Meadowfields Apts, LLC Variance Request**
- **Wastewater Management Bids**
- **Storage Bin Proposed Local Law**
- **Ambulance Financing**

New Business

- **Schedule Budget Sessions**
- **Cairo Chamber Request**

Adjournment



Minutes

**Town of Cairo
Town Board Meeting @7pm
Location: Town Hall Meeting Room**

August 22, 2012

The Town Board of the Town of Cairo met for a Town Board meeting on Wednesday, August 22, 2012 at the Town Hall, Main Street, Cairo, New York.

Supervisor Ted Banta, called the meeting to order at 7:00 PM and then asked the attendees to Pledge Allegiance to the Flag. Councilperson Puorro was absent.

The minutes from the July 25, 2012 Board Meeting was accepted by Councilperson Suttmeier and seconded by Councilperson Joyce.

The minutes from the July 31, 2012 Special Meeting was accepted by Councilperson Ostrander and seconded by Councilperson Joyce.

The minutes from the August 8, 2012 Workshop was accepted by Councilperson Joyce and seconded by Councilperson Suttmeier.

Fran Wolf, Trustee of the Library, gave an update as to the activity in the Library.

Supervisor Banta went over the Supervisor's Report. (See Supervisor's Report) He scheduled a budget meeting for Monday, August 27, 2012 at 4:30 pm.

Resolution No. 197 -12 "Receipt of Monthly Supervisor's Report" offered by Councilperson Suttmeier and seconded by Councilperson Ostrander:

WHEREAS, it has been recommended by the NYS Comptroller's Office in the Town of Cairo Report of Examination 2008M-175, that the Supervisor should present a Monthly Report to the Board Members consisting of cash receipts, cash disbursements, and a budget versus actual report for expenses and revenues, and it be documented in the minutes; therefore, be it,

RESOLVED, that the Town Board Members accept the monthly Supervisor's Report for August, 2012.

All members in favor – motion carried.

Resolution No. 198 -12 “Accepting Sewer Use Billings Dated August 1, 2012” offered by Councilperson Joyce and seconded by Councilperson Ostrander:

WHEREAS, it is necessary for the Sewer Use Billings to be authorized by the Town Board and documented in the minutes; therefore,

BE IT RESOLVED, that the Town Board of the Town of Cairo accepts the Sewer Use Billings as presented from the Sewer Administrator in the amount of \$37,895.36, dated August 1, 2012.

All members in favor – motion carried.

Resolution No. 199 -12 “Accepting Water Penalties Dates August 13, 2012” offered by Councilperson Ostrander and seconded by Councilperson Joyce:

WHEREAS, it is necessary for the Water Penalties to be authorized by the Town Board and documented in the minutes; therefore,

BE IT RESOLVED, that the Town Board of the Town of Cairo accepts the Water Penalties as presented from the Water Administrator in the amount of \$1,458.38, dated August 13, 2012.

All members in favor – motion carried.

Resolution No. 200 -12 “Hiring Temporary Supervisor's Clerk” offered by Councilperson Suttmeier and seconded by Councilperson Joyce:

WHEREAS, Linda Kuever is absent from her position as Supervisor's clerk for medical

reasons; therefore, be it,

RESOLVED, that the Town Board of the Town of Cairo does hereby approve utilizing and/or hiring Debra Sommer, a current employee, on a temporary basis to fill the Supervisor's Clerk position at the same current pay rate of \$10.75 per hour.

All members in favor – motion carried.

Resolution No. 201-12 “Approve Court Clerk Attendance at the Annual NYS Association of Magistrates Conference” offered by Councilperson Ostrander and seconded by Councilperson Joyce:

BE IT RESOLVED, that the Town Board of the Town of Cairo does hereby approve Joan VanDenburgh's attendance at the 2012 NYS Association of Magistrates Court Clerk Conference between the dates of September 30, 2012 and October 3, 2012 in Albany, NY.

The Town Board approves the following fees and costs with corresponding receipts:

- Pre-registration fee of \$40.00 (pre-registration is prior to September 26, 2012)
- Commuter two-day meal package in the amount of \$85.00, which includes Monday & Tuesday breakfast and lunch.
- Mileage for daily commute

All members in favor – motion carried.

Resolution No. 202-12 “Water Tapping Fee Update to Fee Schedule” offered by Councilperson Suttmeier and seconded by Councilperson Joyce:

WHEREAS, the Town of Cairo adopted a revised Fee Schedule on April 25, 2012,

AND, WHEREAS, the Town of Cairo adopted a Water Tapping Fee Schedule on August 8, 2012 for Water Tapping Fees for ¾” to 6” Taps.

AND, WHEREAS, the Water Administrator requests a Tapping Fee for an 8” tap and a Fire Hydrant.

BE IT RESOLVED, that the Town Board of the Town of Cairo does hereby approve the following additional tapping fees:

- 8” Tapping Fee of \$2,250
- Fire Hydrant Tapping Fee of \$100

All members in favor – motion carried.

Resolution No. 203 -12

“Fee Schedule Amendment” offered by

Councilperson Joyce and seconded by Councilperson Ostrander:

WHEREAS, the Town of Cairo adopted a revised Fee Schedule on April 25, 2012, and

WHEREAS, the Town of Cairo included a fee for Junk Yard/Salvage Yard licenses in the amount of \$300 as a result of an increase in the fee last year that was charged to the license/permit recipients, and

WHEREAS, the Local Law for Salvage & Junk Yards LL6-1985 effective June 1, 1985 adopted in February of 1985 states that the annual license fee of \$25.00 in Section XI License Fees has not been revised or updated accordingly-following the process to update said Local Law, therefore,

BE IT RESOLVED, that the Town Board of the Town of Cairo does hereby amend the fee in the Fee Schedule for Junk Yard/Salvage Licenses from \$300 to \$25.

All members in favor – motion carried.

Resolution No. 204 -12

“Refund to Waldron’s Junk/Salvage Yard” offered

by Councilperson Suttmeier and seconded by Councilperson Joyce:

Be it resolved, that the Town Board of the Town of Cairo does hereby authorize a refund of \$275.00 to Waldron’s Junk/Salvage Yard.

All members in favor – motion carried.

Resolution No. 205 -12

“Budget Amendments and Payments of Bills on

Abstract #316” offered by Supervisor Banta and seconded by Councilperson Joyce:

Whereas, town law requires that no fund or appropriation account may be overdrawn; and

Whereas, payment of bills should be properly authorized and documented in the minutes; therefore be it

Resolved, the Town Board does hereby authorize the following budget amendments:

From	A-1990.4	Contingent	-1,182.07
To	A-1330.4	Tax Collector - Contractual	+1,182.07
From	A-1620.408	RR Ave - Contractual	-3,770.00
To	A-1620.2	Buildings - Equipment	+3,770.00

From	A-7310.15	Youth Programs-Persnl Serv	-260.41
To	A-7310.4	Youth Programs-Contractual	+260.41
From	DA-5142.425	Snow Removal - Gas	-758.27
To	DA-5110.425	Maint of Roads - Gas	+758.27
From	DA-5110.4	Maint of Roads – Contractual	-93.60
To	DA-8760.4	Emergency Disaster-Contractual	+93.60

And be it further RESOLVED, the Town Board does hereby authorize that Abstract #316, consisting of 2012 Vouchers #1972 through #2104 in the amount of \$557,950.78 is approved for payment.

The total amount to be paid from the:

General Fund -	\$142,724.23	Street Lighting -	
Highway Fund -	\$67,086.15	Sewer Fund -	\$5,366.58
Cap. Library Fund -	\$152,882.03	Water Fund -	\$3,947.38
Cap. Sewer Fund -	\$185,865.46	Trust & Agency -	\$78.95
Hydrant Fund –			

All members in favor – motion carried.

Resolution No. 206 -12 “Approve Supt. Of Highways to spend money”

offered by Councilperson Joyce and seconded by Councilperson Ostrander:

Be it resolved that the Town Board of the Town of Cairo does hereby give permission to Robert Hempstead, Superintendent of Highways, to expend money through the Agreement for the expenditure of Highways Moneys, Section 284 of the Highway Law.

All members in favor – motion carried.

Bid Specs for Septic

Supervisor Banta stated he will follow up tomorrow with Joe Meyers or Dave Jennings for the Bid Specs for the waste water pump-outs.

Junkyard/Salvage Yard Licenses

The Town Board visited all the junk yards in town and will be issuing conditional licenses.

Proposed Local Law on Regulating Storage Bins

Supervisor Banta presented the draft of the Local Law on Storage Bins. The Board will read it over and discuss at Workshop.

Fran Wolfe, Trustee of the Cairo Library, asked if the furniture invoices would be paid. Supervisor Banta stated there was just one invoice that still did not have the correct documentation.

John Morgese asked if the outflow of the Waste Water Treatment Plant was ever tested. What is causing algae where it dumps. Joe Meyers will be contacted about this.

Dave Robinson, Board of Directors of Cairo Little League, questioned the Board about other organizations using the baseball fields since they are the one putting all the money into them. He was informed that it is Town property and anyone using the field will return it to its original condition.

Councilperson Ostrander stated that all events will be listed on the Town's website.

Mike Esslie asked the Town Board that if the property he represents at Meadow Fields Apts., goes in a different direction and keeps it as a motel, can they just go ahead and start their project. Tal Rappleyea, Attorney for the Town, suggested this request is too vague and the Board should not make a decision on this.

Resolution No. 207 -12 "Board to Move into Executive Session" offered by Councilperson Puorro and seconded by Councilperson Ostrander:

BE IT RESOLVED, that the Town Board of the Town of Cairo does hereby move into Executive Session at 8:10 PM to discuss medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation within the Town of Cairo.

All members in favor – motion carried.

Resolution No. 208 -12 “Board to exit Executive Session” offered by Councilperson Ostrander and seconded by Councilperson Joyce:

BE IT RESOLVED, that the Town Board of the Town of Cairo does hereby exit Executive Session at 8:30 PM.

All members in favor – motion carried.

Public Hearing - **The Town Board paused the Town Board meeting at 8:30 PM to have a Public Hearing for Michael Esslie, Attorney at Law, representing Medowfields Apts, LLC (Vasileios Paganos), who requested a variance for Meadowfield Apartments, pursuant to Section 8 of the Town of Cairo Local Law #2 of 2012 – Imposing a Six Month Moratorium on Approvals involving Resorts adopted 6/27/12 and filed 7/6/12.**

The Public Hearing ended at 8:55 PM and the Town Board Meeting resumed. (See Minutes for Public Hearing)

Resolution No. 209 -12 “Board to Move into Executive Session” offered by Councilperson Suttmeier and seconded by Councilperson Ostrander:

BE IT RESOLVED, that the Town Board of the Town of Cairo does hereby move into Executive Session at 8:55 PM to discuss medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation within the Town of Cairo.

All members in favor – motion carried.

Resolution No. 210 -12 “Board to exit Executive Session” offered by Councilperson Ostrander and seconded by Councilperson Joyce:

BE IT RESOLVED, that the Town Board of the Town of Cairo does hereby exit Executive Session at 9:10 PM.

All members in favor – motion carried.

Resolution No. 211 -12

“Court Clerk Raise” offered by Councilperson

Ostrander and seconded by Councilperson Joyce:

BE IT RESOLVED, that the Town Board of the Town of Cairo does raise Court Clerk Joan Vandenberg from \$11.10 per hour to \$11.35 per hour retroactive to 6/19/12.

All members in favor – motion carried.

Resolution No. 212 -12

“Amend Resolution No. 200 - Hiring Temporary

Supervisor’s Clerk” offered by Councilperson Ostrander and seconded by Councilperson Joyce:

Be it resolved, that the Town Board of the Town of Cairo does here amend Resolution No. 200 to increase the rate of pay for Debra Sommer to \$11.60.

All members in favor – motion carried.

A motion was made by Councilperson Suttmeier and seconded by Councilperson Ostrander to adjourn the meeting at 9:15 PM.

Respectfully submitted,

Tara A. Rumph, RMC, CMC
Cairo Town Clerk



Minutes

**Town of Cairo
Special Town Board Meeting @ 3:30pm
Location: Town Hall Meeting Room**

September 5, 2012

The Town Board of the Town of Cairo met for a Special Town Board meeting on Wednesday, September 5, 2012 at the Town Hall, Main Street, Cairo, New York.

Supervisor Banta called the meeting to order at 3:45pm and then asked the attendees to Pledge Allegiance to the Flag. The following members were present: Councilperson Joyce, and Councilperson Suttmeier. Councilperson Ostrander and Councilperson Puorro were absent.

Resolution No. 213 -12 "Purchase of Oshkosh Plow Truck"

Councilperson Suttmeier offered the following resolution and moved its adoption:

BE IT RESOLVED, that the Town Board of the Town of Cairo does hereby authorize the Highway Superintendent, Robert F. Hempstead to purchase a 1969 Oshkosh Plow Truck, VIN # 10982 from auctionsinternational.com. for a purchase price of \$5,005.00

Seconded by Councilperson Joyce.

All members in favor – motion carried.

Resolution No. 214 -12 "Authorizing Highway Superintendent to purchase a truck through Auctions International on September 6, 2012"

Councilperson Joyce offered the following resolution and moved its adoption:

BE IT RESOLVED, that the Town Board of the Town of Cairo does hereby authorize the Highway Superintendent, Robert F. Hempstead to bid on a 1999 International 2674 All Season Dump Truck, VIN# 1HTGKADR4XH241341 from www.auctionsinternational.com on September 6, 2012;

BE IT FURTHER RESOLVED, that the purchase price will not exceed \$45,000.00.

Seconded by Councilperson Suttmeier.

All members in favor – motion carried.

This meeting was called to discuss highway budgetary issues.

Resolution No. 215-12 “Enter into Executive Session” offered by Councilperson Suttmeier and seconded by Councilperson Joyce:

BE IT RESOLVED, that the Town Board of the Town of Cairo does hereby move into Executive Session at 4:00 PM to discuss medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation within the Town of Cairo.

All members in favor – motion carried.

Resolution No. 216-12 “Board to exit Executive Session” offered by Councilperson Suttmeier and seconded by Councilperson Joyce:

BE IT RESOLVED, that the Town Board of the Town of Cairo does hereby exit Executive Session at 5:00 PM.

All members in favor – motion carried.

A motion was made by Councilperson Suttmeier and seconded by Councilperson Joyce to adjourn the meeting at 5:05PM.

Respectfully submitted,

Debra Sommer

Deputy Town Clerk



TOWN OF CAIRO

September 12, 2012

RESOLUTION NO. _____

“Authorizing Highway Superintendent And Supervisor To Sign Agreements with Engineer”

Councilperson _____ offered the following resolution and moved its adoption:

BE IT RESOLVED, that the Town Board of the Town of Cairo does hereby authorize the Supervisor and the Highway Superintendent to sign two agreements with Praetorius and Conrad, P.C. for professional engineering services.

BE IT FURTHER RESOLVED, The first agreement will be the Harold Myers Road Culvert with an estimate of \$22,000.00 and the second agreement will be the Sandy Plains Road Box Culvert with an estimate of \$25,400.00

SECONDED BY COUCILPERSON _____

COUNCILPERSON OSTRANDER	AYE	NAY
COUNCILPERSON JOYCE	AYE	NAY
COUNCILPERSON PUORRO	AYE	NAY
COUNCILPERSON SUTTMEIER	AYE	NAY
SUPERVISOR BANTA	AYE	NAY

AYE ___ NAY ___ ABSENT ___ CARRIED ___ DEFEATED ___

TOWN OF CAIRO

September 12, 2012

RESOLUTION NO. _____

“Sponsor Candidates for Police Academy”

Councilperson _____ offered the following resolution and moved its adoption:

BE IT RESOLVED, that the Town Board of the Town of Cairo agrees to sponsor Joseph Feml and Kevin Haverly for the 2012-2013 Zone 14 Police Academy.

SECONDED BY COUNCILPERSON _____

COUNCILPERSON JOYCE	AYE	NAY
COUNCILPERSON OSTRANDER	AYE	NAY
COUNCILPERSON PUORRO	AYE	NAY
COUNCILPERSON SUTTMEIER	AYE	NAY
SUPERVISOR BANTA	AYE	NAY

AYE _____ NAY _____ ABSENT _____ CARRIED _____ DEFEATED _____

TOWN OF CAIRO
LOCAL LAW # OF 2012
REGULATING STORAGE BINS

§ 1. Title.

This local law shall be known and cited as "Storage Bin Regulation Local Law."

§ 2. Purpose.

The Town Board of the Town of Cairo finds and declares that the intrusion of non-regulated storage bins is causing annoyance to citizens in the Town of Cairo and may lead to negative visual impacts and potential health hazards. The provisions contained in this local law are intended to prohibit the placement of storage bins in the Town of Cairo except in accordance with the terms of this local law so as not to negatively impact the health and safety of the residents of the Town.

§3. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

STORAGE BINS: Any container utilized or intended to be utilized for the outdoor storage of items, including but not limited clothing, shoes, household items or any other personal property, to be collected, given, donated, stored, or distributed.

PERSONS: Individuals, partnerships, family groups, voluntary associations, entities, unincorporated organizations and corporations.

§4. Storage Bins Prohibited Without Permit. Conduct

a. No person, corporation, entity, organization or group shall place a storage bin in any location within the Town of Cairo, except in the following locations and with the owners consent thereof, unless such person shall first obtain a permit from the Town:

- i. Property owned by the Town of Cairo;
- ii. Property owned by a duly organized fire company or district;
- iii. Property owned by a church or other place of worship.

b. It shall be the responsibility of the owner of the property and the owner of the storage bin to site bins in a location to shield bins from public view.

c. No more than one (1) storage bin may be placed on any parcel of land within the Town of Cairo.

d. It shall be the responsibility of the owner of the property and the owner of the storage bin to prevent dumping of trash, refuse, rubbish or any other items which are not the intended items for collection at the storage bin and to immediately remove such items from the parcel.

§5. Permit Process.

Prior to issuance of any storage bin permit, the persons applying for such permit shall file a written statement with the Code Enforcement Officer at least twenty business days in advance of the placement of a storage bin, setting forth the following information:

- a. The full name and address of applicant.

- b. The location, including 911 address and tax map parcel number at which the proposed storage bin is to be placed.
- c. The starting and ending dates on which the storage bin shall be present.
- d. Written authority by the owner of the property on which the storage is to be placed, allowing the placement thereof.
- e. A sketch of the location on the parcel where the storage bin is to be placed, including the manner in which the storage bin shall be shielded from public view.
- f. A permit fee in amount to be set by the Town Board, as it from time to time, deems appropriate for the issuance of such permit.

§6. Enforcement; complaints.

This local law shall be enforced by the Building Department and/or the Town of Cairo Police Department, and it shall be their duty to investigate and prosecute any violation of this local law. If, after an investigation, a violation is found to exist, the Building Department shall prosecute a complaint before a court of appropriate jurisdiction, including but not limited to the Justice Court of the Town of Cairo.

§7. Violations and penalties.

- a. Any person, firm or corporation who or which shall violate any provision of this Local Law shall, upon conviction thereof, be guilty of a violation as that term is defined in the New York State Penal Law and shall be sentenced in accordance therewith. Every day that a violation of this Local Law continues shall constitute a separate offense.
- b. Following a finding by a court of appropriate jurisdiction, including the Justice Court of the Town of Cairo, the Town shall be authorized to immediately remove the storage bin and any items in, on, around or near such storage bin.
- c. If the owner shall fail to pay the costs and expenses associated with such removal within 10 days after being notified of the same by mail, the Town Clerk shall file, prior to the time for completing the levy of annual town taxes, a certificate of said cost and expense with a statement as to the property upon which the same were incurred, with the Town Board, which shall in the preparation of the next annual tax levy of general town taxes, levy said amounts upon such property, and the same shall be levied, collected and enforced in the same manner, by the same proceedings at the same time, with the same penalties, and having the same lien upon the property assessed as the general town tax and as a part thereof.

§8. Miscellaneous

- a. This Local Law is expressly adopted pursuant to the relevant sections of the New York State Town Law and the New York State Municipal Home Rule Law.
- b. In the event any section or provision of the laws contained herein or as amended hereafter shall be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the laws as a whole or any part thereof other than the part so declared to be invalid.
- c. This local law shall be effective immediately upon filing with the Secretary of State.

Town of Cairo Ambulance 3 Year

Compound Period: Annual

Nominal Annual Rate: 2.090 %

CASH FLOW DATA

	Event	Date	Amount	Number	Period	End Date
1	Loan	08/31/2012	94,000.00	1		
2	Payment Fixed Principal (+Int.)	08/31/2013	31,333.33	3	Annual	08/31/2015

AMORTIZATION SCHEDULE - Normal Amortization

	Date	Payment	Interest	Principal	Balance
Loan	08/31/2012				94,000.00
2012 Totals		0.00	0.00	0.00	
1	08/31/2013	33,297.93	1,964.60	31,333.33	62,666.67
2013 Totals		33,297.93	1,964.60	31,333.33	
2	08/31/2014	32,643.06	1,309.73	31,333.33	31,333.34
2014 Totals		32,643.06	1,309.73	31,333.33	
3	08/31/2015	31,988.20	654.86	31,333.34	0.00
2015 Totals		31,988.20	654.86	31,333.34	
Grand Totals		97,929.19	3,929.19	94,000.00	

Last interest amount decreased by 0.01 due to rounding.

Town of Cairo Ambulance 5 Year

Compound Period: Annual

Nominal Annual Rate: 2.290 %

CASH FLOW DATA

	Event	Date	Amount	Number	Period	End Date
1	Loan	08/31/2012	94,000.00	1		
2	Payment Fixed Principal (+Int.)	08/31/2013	18,800.00	5	Annual	08/31/2017

AMORTIZATION SCHEDULE - Normal Amortization

	Date	Payment	Interest	Principal	Balance
Loan	08/31/2012				94,000.00
2012 Totals		0.00	0.00	0.00	
1	08/31/2013	20,952.60	2,152.60	18,800.00	75,200.00
2013 Totals		20,952.60	2,152.60	18,800.00	
2	08/31/2014	20,522.08	1,722.08	18,800.00	56,400.00
2014 Totals		20,522.08	1,722.08	18,800.00	
3	08/31/2015	20,091.56	1,291.56	18,800.00	37,600.00
2015 Totals		20,091.56	1,291.56	18,800.00	
4	08/31/2016	19,661.04	861.04	18,800.00	18,800.00
2016 Totals		19,661.04	861.04	18,800.00	
5	08/31/2017	19,230.52	430.52	18,800.00	0.00
2017 Totals		19,230.52	430.52	18,800.00	
Grand Totals		100,457.80	6,457.80	94,000.00	