

**TOWN OF BIG FLATS AGENDA
WEDNESDAY, DECEMBER 28, 2015 AT 4:30 P.M.**

WATER BOARD

CALL TO ORDER

NEW BUSINESS

Refund of overpayment due to a nonstandard Water Meter

TOWN BOARD

CALL TO ORDER

CONCERNS OF THE PEOPLE

MINUTES –October 28, 2015, November 12, 2015(special), November 18, 2015,
November 30, 2015(Special) & December 9, 2015

NEW BUSINESS

Budget Transfers

Abstract of Audited Vouchers

Membership /Alliance Plan for Workers Compensation

Big Flats American Legion GOC License 2016

2016 Association of Towns Attendance

Set 2016 Organizational Meeting

Communication Log

Empire-Expenditure /Fiber cable expansion Eacher Hollow Rd.

2016 Winter Taffy/ Minimum wage adjustment for 2016

Deferred Compensation Plan/Nationwide Financial Services Inc.

Contribution rates of Retires Insurance for 2016

Consulting Services for 2016 / Elisabeth Corveleyn

DPW Senior Clerk Part-Time Position changed to Full-Time Position

RESOLUTION NO. 01-122815
REFUND OF OVERPAYMENT DUE TO A NON STANDARD WATER METER

Resolution by:
Seconded by:

WHEREAS The Big Flats Water Department recently completed a district wide meter replacement program and that part of that program included all meters to be bench tested by our installation contractor, National Metering Services Inc., after removal. And results of those tests have been received by the Big Flats Water Department, and

WHEREAS the Town Supervisor and Water Supervisor have reviewed the results of these tests and have identified one account where the meter itself had the wrong size head installed. This account had a Sensus 5/8" meter that was outfitted from the factory with a Sensus 1" head. And,

WHEREAS discussions were held with our experienced water operators and also a former Sensus representative from EJ Prescott and it was explained that having a 1" head on a 5/8" meter would almost triple the metered water usage by virtue of the mechanics. The account had this meter in place since September 29, 2009, when it was a new residential build, until we replaced the meter this year with a new Master Meter BLMJ residential radio read meter. It was at this time the meter went for testing and the issue was brought to light. And

WHEREAS, this is an administrative Type 2 action under SEQRA 6NYCRR 617.5 (C) 20 and thus no environmental review action is required herein, and

BE IT THEREFORE RESOLVED the Town Board, as recommended by the Town Supervisor and the Water Supervisor, hereby requests that the amount that was overcharged, \$3004.65, proven by two separate calculations by two different people, be refunded to this customer. A letter of explanation should accompany this payment as well. The amount will be taken from this year's water rent revenues. And,

FURTHER RESOLVED that if this unlikely situation arises again, a refund can be approved for processing by the Town Supervisor without a formal resolution, as long as it is supported by verified documentation. The Town Supervisor is hereby authorized to approve and sign the appropriate refund to the overcharged customer.

AYES:
NAYS:

RESOLUTION NO. 02-122815
BUDGET TRANSFERS

Resolution by:
Seconded by:

WHEREAS a memorandum was received from the Bookkeeper, dated December 18, 2015 requesting authorization budget transfers for the following overspent budgets, and for a budget Transfers to the 2015 General Fund budget:

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5 (c) (20) and as such further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the Bookkeeper to fulfill the following Transfers and Budget Amendment

Budget Transfers-General Fund

Please authorize a budget transfer for the following overspent budgets:

To	Public Works--PS-A.1490.0100	2,000	
	Public Works-CE-A.1490.0400		100
	Buildings CE-A.1620.0400	50,000	
	Control of Dogs-CE-A.3510.0400	60	
	Refuse & Garbage-CE-A.8160.0400	200	
	From Hospital & Medical Ins-A.9060.0800		52,360
To	Central Print & Mail-CE-A1670.0401	1,385	
From	Central Print & Mail-CE-A1670.0400		1,385

Highway Fund

Please authorize a budget transfer for the following overspent budgets:

To	Machinery –PS-D.5130.0100	5,000	
From	Hospital & Medical Ins-D.9060.0800		5,000

CARRIED: AYES:

NAYS

ABSENT:

RESOLUTION NO. 03-122815
ABSTRACT OF AUDITED VOUCHERS FOR DECEMBER 28, 2015

Resolution by:

Seconded by:

RESOLVE that the Town of Big Flats approve the Abstract of Audited Vouchers for December 28, 2015, and order the bills paid, when in funds, for the following:

GENERAL FUND	\$ 99,518.74
HIGHWAY FUND	\$ 48,291.64
H12-WD 4&5 CAPITAL PROJECT #12	\$ 6,421.18
WATER DISTRICT #4	\$ 543.46
WATER DISTRICT #5	\$ 9,065.00
LIGHTING DISTRICT	\$ 624.94
TRUST & AGENCY	\$ 1,350.00

CARRIED: AYES:

NAYS:

ABSENT:

RESOLUTION NO. 04-122815
RESOLUTION APPROVING MEMBERSHIP IN THE ALLIANCE PLAN FOR
WORKERS' COMPENSATION

Resolution by:

Seconded by:

WHEREAS there has been proposed a "New York State Municipal Workers' Compensation Alliance Plan Document" pursuant to Section 30 3-a of the Workers' Compensation (hereinafter "the plan"), and

WHEREAS the Town of Big Flats is eligible for membership in the Plan, and

WHEREAS the Town of Big Flats has made an independent investigation of the Plan and reviewed the Plan document, and has concluded that it would be in the interest of the Town of Big Flats to participate therein; and

THEREFORE BEIT RESOLVED that the Town of Big Flats enter into membership in the Plan pursuant to Section 50 Subdivision 3-a of the Workers' Compensation law and hereby authorizes the Town Supervisor and instructed to execute the Plan's charter document on behalf of the Town of Big Flats and that the custody of all joint Plan moneys by the Plan Administrator under the Plan be the same hereby is approved.

CARRIED: AYES:

NAYS:

ABSENT:

RESOLUTION NO.05-122815
RESOLUTION APPROVING THE BIG FLATS AMERICAN LEGION
GAMES OF CHANCE LICENSE FOR 2016

Resolution by:
Seconded by:

WHEREAS the Big Flats American Legion submitted an application for a Games of Chance License, and

WHEREAS the Town Clerk duly submitted the application to the Chemung County Sheriff's Department, Records Division, for their investigation of Findings and Determination for Games of Chance License, and

WHEREAS for environmental review, ministerial acts is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5 (c) (19) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED a Findings and Determination for Games of Chance License, along with the guidance and interpretation of the New York State Racing and Wagering Board,
found the designated members conducting Games of Chance games are of good moral character, and

FURTHER RESOLVE the Town Board approves the Application for a Games of Chance License, dated December 14, 2015 from the Big Flats American Legion Post 1612 to perform games of chance events as outlined in the application for 2016.

CARRIED: AYES:
 NAYS: ABSENT:

RESOLUTION NO. 06-122815
2016 ASSOCIATION OF TOWNS ATTENDANCE FOR ED FAIRBROTHER,
THOMAS REILLEY, MIKE SAGLIBENE, ROBERT ADAMS, LINDA CROSS, and
MERLYN TIWARI

Resolution by:
Seconded by

WHEREAS the New York State Association of Towns offers training and annual meeting that is to assist in the training of town officials and is the most comprehensive effort in this area, and

WHEREAS it is in the Town's best interest to allow representations to attend said training, and

WHEREAS for environmental review, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5 (c) (19) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes, Ed Fairbrother, Thomas Reilly, Mike Saglibene, Robert Adams, Linda Cross, and Merlyn Tiwari to attend the New York State Association of Towns 2016 Training and Annual Meeting to be held February 14-17, 2016 with all appropriate expenses, not-to-exceed \$1,500.00 each, to be paid from the appropriate budgets.

CARRIED: AYES:
 NAYS: ABSENT:

RESOLUTION NO. 07-122815
2016 ORGANIZATIONAL MEETING SET

Resolution by:

Seconded by:

RESOLVE the Town Board sets the time and place for the 2016 Organizational Meeting for January 5, 2016 at 4:30 p.m.

CARRIED: AYES:

NAYS:

ABSENT:

RESOLUTION NO. 08-122815

A RESOLUTION TO APPROVE THE COMMUNICATION LOG DECEMBER 28, 2015

Resolution by:

Seconded by:

BE IT RESOLVED that the following communications were received, accepted and filed by the Town Clerk of the Town of Big Flats and referred to the appropriate Department Head for information and/or action:

December 16, 2015

Time Warner Cable - RE: December 16, 2015 Programming Notices Changes *Referred to: Town Board, and filed with Town Clerk.*

December 21, 2015

NYSEG and RG&E – RE: Commercial and Industrial Rebate Program *Referred to: Town Board, DPW, bookkeeping, and filed with Town Clerk.*

CARRIED: AYES:

NAYS:

RESOLUTION NO.09-122815
AUTHORIZING THE EXPENDITURE FROM FUNDS SET ASIDE FOR FIBER
CABLE EXPANSION IN BIG FLATS IN THE AMOUNT OF \$17,335.19 FOR
EXPANSION 1.4 MILES UP EACHER HOLLOW ROAD

Resolution by:
Seconded by:

WHEREAS at a meeting on April 22, 2015 this Board approved, in Resolution 120-15, that all sums received from all three cable franchisees from that date would be segregated into a separate budgetary item and be utilized to help fund, with the approval of the Board for each sum expended, the extension of fiber optic cable only services within the Town of Big Flats, and

WHEREAS Empire Long Distance Corporation (ELDC), which is part of the recent franchise agreement for fiber optic cable is seeking aid in constructing fiber facilities from their existing plant located near the intersection of Breed Hollow with Eacher Hollow Rd. to be built up Eacher Hollow Rd. for approximately 1.4 miles, and

WHEREAS the estimated cost of this expansion is \$34,670.38 and includes all engineering, permitting, make ready, fiber cable, splicing, and labor per correspondence from Empire's Vice President Brian Ketchum, and

WHEREAS in that same correspondence Mr. Ketchum requested that the Town contribute ½ of that cost, or \$17,335.19, from our reserve fund wherein the franchise fees have been placed, and

WHEREAS this reserve fund has of this date a bit over \$50,000, and

WHEREAS this expansion request would benefit and add possibly 16 additional residents to obtain access to fiber optic cable services, and

WHEREAS Empire or ELDC would own, maintain and be responsible for this extension, now

THEREFORE BE IT RESOLVED that the Town Board authorizes the expenditure of \$17,335.19 from cable franchise fees for this extension of the fiber optic cable constructing fiber facilities from their existing plant located near the intersection of Breed Hollow with Eacher Hollow Rd. to be built up Eacher Hollow Rd. for approximately 1.4 miles.

CARRIED: AYES:
NAYS:

RESOLUTION NO. 10-122815
2016 WINTER TAFFY EMPLOYEE, MINIMUM WAGE AMENDMENT

Resolution by:

Seconded by:

WHEREAS a memorandum was received from the Youth Program Coordinator, dated December 14, 2015 requesting, the Winter T.A.F.F.Y employees for the new Minimum wage adjustment for 2016 of \$9.00 basic hourly rate, effective 01/01/2016, and

WHEREAS employees covered under the federal Fair Labor Standards Act must be paid in accordance with State law and also in accordance with higher federal requirements, where applicable, and

WHEREAS the Winter T.A.F.F.Y. will run from September 10, 2015 through April 28, 2016, employees for the Winter T.A.F.F.Y. staff, and

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5 (c) (20) and as such further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the Bookkeeper to fulfill the Winter T.A.F.F.Y employees for the new Minimum wage adjustment for 2016 of \$9.00, basic hourly rate, and effective 01/01/2016.

2016

Logan Carpenter	\$9.00 hr.
Felicia LaLomia	\$9.00 hr
Alexis Gagnon	\$\$9.00 hr
Jordan Yorio	\$9.00 hr
Henry Farr	\$9.00 hr
Chase Doner	\$9.00 hr
Brett Jaynes	\$9.00 hr
Grace Seeley	\$9.00 hr
Chisela Ng'oma	\$9.00 hr
Jessica Schiefen	\$9.00 hr

CARRIED: AYES:

NAYS:

RESOLUTION NO. 11-122815
DEFERRED COMPENSATION PLAN, NATIONWIDE FINIANCIAL SERVICES INC.

Resolution by:
Seconded by:

WHEREAS the Town of Big Flats Deferred Compensation Plan has been provided administrative services by Nationwide Retirement Solutions, with Nationwide Financial Services Inc. serving as financial organization and Nationwide Trust Company serving as trustee, and

WHEREAS agreements between the Town of Big Flats and such entities to provide such services to be expired December 31, 2015, and

WHEREAS proposals where received from Nationwide Retirement Solutions and Mutual of America, and

WHEREAS the Town of Big Flats has chosen to retain Nationwide as their sole provider and renew such agreements for a one (1) year period to expire December 31, 2016, and

WHEREAS for environmental purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5 (c) (20) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the Town Supervisor to execute the contract renewal for the Town of Big Flats Deferred Compensation Plan with Nationwide Financial Services Inc. for one (1) years ending on December 31, 2016.

CARRIED: AYES:
NAYS:

RESOLUTION NO.12-122815
RESOLUTION SETTING THE TOWN OF BIG FLATS INSURANCE CONTRIBUTION
RATES OF RETIRES INSURANCE FOR 2016

Resolution by:
Seconded by:

WHEREAS in the Town of Big Flats Handbook section 710, setting the Insurance Contribution rates for retirees for the year of 2016 at 25%, and

WHEREAS this is set annually by the Town Board, and

WHEREAS the town budget for 2016 reflexes the reimbursement of 25%, and

WHEREAS for environmental review purposes, interpreting an existing code, and adoption of regulations, policies, or procedures and local legislative decisions are Type II action in accordance with SEQRA 6 NYCRR, Part 617.5 (c) (20) and as such no further action is necessary regarding the same, now

THEREFORE BEIT RESOLOVED the Town Board approves the Insurance Contribution rate for retirees for the year of 2016 at a rate of 25%.

CARRIED: AYES:
NAYS:

RESOLUTION NO.13-122815
RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO ENTER INTO AN
AGREEMENT WITH ELISABETH CORVELEYN FOR CONSULTING SERVICES
NOT TO EXCEED \$12,000

Resolution by:
Seconded by:

WHEREAS the Town of Big Flats will be seeking grants for the parks and youth departments with a consultant, and

WHEREAS Elisabeth Corveleyn has extensive background in grants and foundation funds, and

WHEREAS the need to have a consultant on staff to render her service in helping the town to find the best grants and foundation funds that match the town's needs and to help execute and with E-civic services for such grants and foundation funds, and

WHEREAS this resolution shall take effect immediately, and

WHEREAS for environmental purposes the administration of the Town personnel is a Type II action in accordance with SEQRA 6, NYCCR Part 617.5(c) (20) and as such no further action is required regarding the same, and

THEREFORE BE IT RESOLVED that the Town of Big Flats Board authorizes the Town Supervisor to enter into an agreement with Elisabeth Corveleyn for 2016 consulting services not to exceed \$12,000

CARRIED: AYES:
NAYS:

PROPOSED RESOLUTION NO.14-122815
DPW SR. CLERK PART-TIME POSITION CHANGED TO FULL-TIME POSITION

Resolution by:
Seconded by:

WHEREAS the Town Supervisor, DPW Commissioner and Deputy Commissioner recognize the need for additional staff coverage to complete projects and cover for staff absences, and

WHEREAS the 2016 approved town budget allotted for the cost of additional staffing, and

WHEREAS upon recommendation of the Town Supervisor, DPW Commissioner and Deputy Commissioner, the part-time DPW Senior Clerk position be changed to full-time, and eligible for Town Benefits, and

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5(c) (20) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the DPW part-time Senior Clerk position be changed to full-time effective payroll #1 of 2016.

CARRIED: AYES:
 NAYS: