



MINUTES OF THE TOWN BOARD MEETING OF APRIL 27, 2011

PUBLIC HEARING                      7:03 p.m.                      Otis Eastern Service Inc. continued

OPPOSITION: None

COMMENTS: Larry Wagner, Commissioner of the Department of Public Works requested a truck route plan.

Since there were no further comments, Supervisor Dean closed the Public Hearing at 7:13 p.m.

Supervisor Dean reported the following:

- Request from members of our Zoning Board of Appeals that we revisit the application fee requirements.
- Concerns regarding the Town Board Vacancy.

CONCERNS OF THE PEOPLE – Judy Zimmerman, 29 Churchill Place, ask the Town Board “what happens if there was a tie in a Town Board vote”. Supervisor Dean informed Mrs. Zimmerman that the resolution would be defeated, and the same as if one of the board members were absent. Judy also had a few questions regarding the CPR response and mentioned that it was a very good CPR training workshop for the employees.

James Wilson, 621 McDowell Place, Elmira, NY, asked the Town Board for a variance for a small portable concession stand at the Big Flats Health Center. He stated that he is fully insured. Supervisor Dean informed Mr. Wilson that he would need to go through the Zoning Board of Appeals and that would be your only option.

Councilperson Fairbrother had received a few phone calls concerning drilling in accordance to the spill that happen in Bradford County, He indicated that DEC is the one that controls this and we will be prepared and look at all the aspects. The Town Board and the Water Board would be interested in any drilling that is in the Town that would affect any aquifer and our wells.

MINUTES

Councilperson Fairbrother made a motion, seconded by Councilperson Smith to approve the minutes of March 23, 2011 as presented. All in favor, motion carried.

Supervisor Dean made a motion, seconded by Councilperson Gillette to approve the minutes of April 13, 2011 as presented. All in favor, motion carried.

MINUTES OF THE TOWN BOARD MEETING OF APRIL 27, 2011

OLD BUSINESS

RESOLUTION NO. 129-11  
ZONING AMENDMENT OF CHAPTER 17.12, LOCAL LAW NO 2 OF 2011  
APPROVED

Resolution by: Fairbrother  
Seconded by: Smith

WHEREAS the Town of Big Flats Planning Board has reviewed the proposed Zoning Amendment at their regularly scheduled meeting of April 5, 2011, and

WHEREAS the Town Board had reviewed the comprehensive plan and found reasonable facts to support said zoning amendment, and

WHEREAS Town of Big Flats Municipal Code 17.68.010 provides the Town of Big Flats Town Board an avenue to proceed with a zoning amendment, and

WHEREAS the Chemung County Planning Board has reviewed the amendment as per General Municipal Law 239-m and returned the amendment for local determination, and

WHEREAS the Town of Big Flats Town Board has determined the project to be an unlisted action, completed the Short Environmental Assessment Form, dated April 27, 2011 and has completed the SEQRA review as the Lead Agency, now

BE IT THEREFORE RESOLVED the Town Board hereby determines, pursuant to the provisions of SEQRA 6 NYCRR Part 617, the proposed Unlisted Action will not have a significant adverse environmental effect and preparation of an Environmental Impact Statement will not be required, thereby issuing a Negative Declaration thereon, and

BE IT FURTHER RESOLVED the Town Board approves the zoning amendment titled Local Law No. 2 of 2011, Chapter 17.12, District Use Requirements and the Town Clerk shall file the same with the Department of State.

CARRIED: AYES: Smith, Fairbrother, Gillette, Dean  
NAYS: None

MINUTES OF THE TOWN BOARD MEETING OF APRIL 27, 2011

RESOLUTION NO. 130-11  
SPECIAL USE PERMIT REQUEST BY OTIS EASTERN SERVICE, INC. FOR THE  
PURPOSE OF A TEMPORARY FIELD SITE APPROVED

Resolution by: Smith  
Seconded by: Gillette

WHEREAS the Town Board has received an application from Otis Eastern Service, Inc. for a Special Use Permit approval to permit a temporary field office for office/van storage, material storage and parking for employees and the company located on lands owned by Glenn and Diane Farr, Tax Parcel 66.02-2-26.211 and Big Flats Development Group, Inc., Tax Parcel 66.02-2-31.11, and

WHEREAS the property is located in the Business Neighborhood 2 (BN2) district, off Daniel Zenker Drive between the intersection of I-86 and Hibbard Road, and

WHEREAS office / storage facility is a use permitted under site plan approval and upon grant of a special permit by the Town Board, and

WHEREAS a public hearing was duly held on April 27, 2011 whereas all interested parties were duly heard, and

WHEREAS the Town Board of the Town of Big Flats has determined pursuant to the provisions of SEQR 6 NYCRR Part 617, that the proposed Unlisted Action will not have a significant effect on the environment and that preparation of an Environmental Impact Statement will not be required, thereby issue a Negative Declaration, now

BE IT THEREFORE RESOLVED the Town Board approves the special use permit for Otis Eastern Service, Inc. with the following conditions:

- Hours of Operation shall be limited to hours within the times of 6:00 am EST and 9:00 pm EST, Monday through Saturday;
- The dates of the temporary Special Use Permit shall be May 1, 2011-October 31, 2011
- Operational lighting shall comply with the Town of Big Flats Municipal Code
- All signage shall comply with Town of Big Flats Municipal Code Chapter 17.52
- Applicant shall confine to the site layout as depicted on the site plan submitted by Charles Howland, Superintendent of Otis Eastern Service, Inc.
- Applicant shall utilize I-86 and Daniel Zenker Drive as the main egress/ingress for said property
- Applicant shall contact and provide the Town of Big Flats with a copy of any application for additional driveway permits issued by Chemung County Department of Public Works
- The use of Palmer Road North to egress/ingress this property does not in anyway depict that this is or will be a Town road.
- Truck routes provided to the Commissioner of Public Works and a surety Bond be approved by Attorney for the Town.

CARRIED: AYES: Smith, Fairbrother, Gillette, Dean  
NAYS: None

MINUTES OF THE TOWN BOARD MEETING OF APRIL 27, 2011

NEW BUSINESS

RESOLUTION NO. 131-11  
ABSTRACT OF AUDITED VOUCHERS APPROVED

Resolution by: Gillette  
Seconded by: Fairbrother

RESOLVE that the Town of Big Flats approve the Abstract of Audited Vouchers for April 2011, vouchers 10941- 11050 and order the bills paid, when in funds, for the following:

GENERAL FUND	\$ 66,240.27
HIGHWAY FUND	\$ 34,089.19
SEWER DISTRICT	\$ 125.67
WATER DISTRICT #1	\$ 5,292.17
WATER DISTRICT #2	\$ 6,229.94
WATER DISTRICT #3	\$ 1,914.87
WATER DISTRICT #4	\$ 801.50
LIGHTING DISTRICT	\$ 543.11
TRUST & AGENCY	\$ 445.01

CARRIED: AYES: Smith, Fairbrother, Gillette, Dean  
NAYS: None

RESOLUTION NO. 132-11  
SUMMER T.A.F.F.Y. EMPLOYEES APPROVED

Resolution by: Fairbrother  
Seconded by: Smith

WHEREAS the Big Flats Youth Services Department will be hosting the Summer TAFFY Program, and

WHEREAS the Program Coordinator conducted interviews and necessary background checks and recommends the Town Board appoint the employees listed below, 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 appoints the following Summer TAFFY employees effective May 22, 2011 – August 6, 2011:

Claire Blaney	37 Sing Sing Rd. HH	\$7.25 (Intern)
Julie Caruso	45 Anncox Lane, HH	\$7.30
Wynn Curtis	17 Hickory St. BF	\$7.25 (Intern)
Tori Davis	County Line Drive, BF	\$7.25 (Intern)
Alyssa DeRichie	144 St. Andrews Dr. HH	\$7.30

MINUTES OF THE TOWN BOARD MEETING OF APRIL 27, 2011

RESOLUTION NO. 132-11, SUMMER T.A.F.F.Y. EMPLOYEES APPROVED continued

Abbey Donahue	261 Prospect Hill Rd. HH	\$7.30
Zachary Dunbar	29 Larchmont Ave. BF	\$7.25 (Intern)
Renee Edwards	241 Oriole Drive. HH	\$8.00 (Park Leader)
Eric Garrison	56 Churchill Place, BF	\$7.30
Brittani Gentz	50 Ponderosa Dr. HH	\$7.35
Claire Hawthorne	3245 S. Main St. HH	\$7.30
Ashley Hutten	57 Woodland Drive, BF	\$7.30
Casey Hutten	57 Woodland Drive, BF	\$9.00 (Rover)
Ashley Larimore	61 Lyons Dr, HH	\$7.35
Melissa Loughlin	17 Green Valley Dr. BF	\$8.00 (Park Leader)
Meghan Marks	18 Algonquin Dr. HH	\$8.00 (Park Leader)
Corey McCann	35 W. Easterbrook Dr.	\$7.25
Emma Pautz	495 Halderman Hollow Rd. Elm.	\$7.30
Kelly Rathbun	543 Hatfield St. HH	\$7.35
Kyle Rivera	69 West William St. Corning	\$8.00 (Park Leader)
Sarah Sechrist	4 Woodside Dr., Elm.	\$8.00 (Park Leader)
Kevin Smith	5086 McLaughlin Rd. BD	\$7.35
Abbie Surosky	103 Halderman Hollow Rd. Elm.	\$8.00
Ryan Swartz	10 Heritage Lane, HH	\$7.25 (Intern)
Larie Wagner	19 Cayuga Dr. HH	\$7.30
Lynsey Wagner	19 Cayuga Dr. HH	\$8.25 (Park Leader)
Sarah Walker	35 Antler Rd. BF	\$7.30
Anna Wicks	8 Chelsea Dr. HH	\$7.30
Olivia Wicks	8 Chelsea Dr. HH	\$7.35
Lorelei Wagner	19 Cayuga Dr. HH	\$9.25, and

FUTHERRESOLVED the Town Board appoints Casey Hutten, 57 Woodland Drive, Big Flats, NY as Rover/Park Leader at the rate of \$9.00 per hour effective May 22, 2011 through August 12, 2011.

CARRIED: AYES: Smith, Fairbrother, Gillette, Dean  
NAYS: None

RESOLUTION NO. 133-11  
SECTION 284 OF THE HIGHWAY LAW AGREEMENT APPROVED

Resolution by: Smith  
Seconded by: Gillette

WHEREAS in accordance with Highway Law, Section 284, the Town Supervisor, Town Board, and Commissioner of Public Works are required to enter into an agreement regarding moneys levied and collected in the Town for repair and improvement of highways, and

MINUTES OF THE TOWN BOARD MEETING OF APRIL 27, 2011

RESOLUTION NO. 133-11, SECTION 284 OF THE HIGHWAY LAW AGREEMENT  
APPROVED continued

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, in accordance with Highway Law, Section 284, the Town Supervisor, Town Board and Commissioner of Public Works are authorized to enter into the Agreement for the Expenditure of Highway Moneys.

CARRIED: AYES: Smith, Fairbrother, Gillette, Dean  
NAYS: None

RESOLUTION NO. 134-11  
PURCHASE AND INSTALLATION OF PA SYSTEM, SECURITY CAMERAS AND  
MONITOR FOR THE COURT APPROVED

Resolution by: Fairbrother  
Seconded by: Smith

WHEREAS the Town Board wishes to improve the condition and security of the Town Court facility when possible, and

WHEREAS in a memo, dated April 19, 2011, the Town Justices requested a sound system, additional security cameras and monitor for the Court Facility, and

WHEREAS quotes were obtained from Soundworks, 1020 Center Street in Horseheads, NY for a sound system and CPE Interlink, 357 East Fifth Street in Elmira, NY for additional security cameras and monitor, and

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

BE IT THEREFORE RESOLVED the Town Board authorizes the purchase and installation of (2) Bosch cameras , (1) Bosch flexi dome camera and (1) Bosch 17" Monitor, fully installed and operational from CPE InterLink at a cost not to exceed \$1,992.00 with all expenses to be paid from the court improvement grant fund, and

FURTHER RESOLVED the Town Board authorizes the purchase and installation of speakers including (3) microphones and stands, parts, material wire, etc., from Soundworks at a cost not to exceed \$2743.00 with all expenses to be paid from the court improvement grant fund.

CARRIED: AYES: Smith, Fairbrother, Gillette, Dean  
NAYES: None

MINUTES OF THE TOWN BOARD MEETING OF APRIL 27, 2011

RESOLUTION NO. 134-11  
CUSTODIAN FOR THE PURPOSE OF MAINTAINING  
THE MUNICIPAL COMPLEX GARDENING APPROVED

Resolution by: Smith  
Seconded by: Gillette

WHEREAS the Town Board had determined the necessity of additional part-time custodian help for the purpose of maintaining the Municipal Complex gardening areas and recommend the appointment of Patricia Schichtel, 4627 College Avenue, Corning, 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 appoints Patricia Schichtel, 4627 College Avenue, Corning, to the position of part-time Custodian for the purpose of maintaining the Municipal Complex gardening needs effective April 23, 2011 at the rate of \$9.00 per hour, and

FURTHER RESOLVED the Town Supervisor is hereby authorized to complete and sign the appropriate Report of Personnel Change and Extended Payroll Certificate (RPC) for this hiring.

CARRIED: AYES: Smith, Fairbrother, Gillette, Dean  
NAYS: None

RESOLUTION NO. 135-11  
DRAINAGE EQUIPMENT OPERATOR SALARY FOR 2011 APPROVED

Resolution by: Gillette  
Seconded by: Fairbrother

WHEREAS Leon Stiles, Drainage Equipment Operator, will be returning to work on April 25, 2011, and

WHEREAS the Drainage Equipment Operator rate of pay was not established for 2011, 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 sets the salary for Leon Stiles, Drainage Equipment Operator, at the rate of \$22.24 per hour effective April 25, 2011.

CARRIED: AYES: Smith, Fairbrother, Gillette, Dean  
NAYS: None

MINUTES OF THE TOWN BOARD MEETING OF APRIL 27, 2011

RESOLUTION NO. 136-11  
BOARD OF ASSESSMENT REVIEW APPOINTMENT  
APPROVED

Resolution by: Fairbrother  
Seconded by: Smith

WHEREAS the Town Board previously received a letter of resignation from David Fiorini from the Board of Assessment Review, and

WHEREAS discussions had been made with Earl Wright of 21 Barnes Hill Road, Big Flats, inquiring whether or not he was interested in fulfilling the unexpired term for the Board of Assessment Review, 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 appoints Earl Wright, 21 Barnes Hill Road, Big Flats, to the Board of Assessment Review with a term ending December 31, 2012, and

FURTHER RESOLVED the Town Supervisor is hereby authorized to complete and sign the appropriate Report of Personnel Change and Extended Payroll Certificate (RPC) for this hiring.

CARRIED: AYES: Smith, Fairbrother, Gillette, Dean  
NAYS: None

CORRESPONDENCE

Notice of Tree and Brush Work/NYSEG. A notice was received from Jon Schroeter, Forester of Lewis Tree Service, informing the Town of Big Flats a notice of trimming or removing trees and brush near power lines in the area.

Call 811 before you dig/Dominion Transmission, Inc. A letter from Dominion Transmission, Inc. was received stating "Know what's below", call 811 before you dig.

Pipeline construction/NYSEG. A letter dated April 15, 2011 from Robert L. Pass, Community Outreach Manager of NYSEG, regarding completion of the surveying and staking for their proposed pipeline extension.

Gravel Pit Complaint/Donald Kimble. A letter dated April 14, 2011 from Donald L. Kimble (Retirement Estates) regarding all the dust and diesel smoke from the adjacent gravel pit that makes his cars and house a mess all the time.

MS4 Program Assistance/Laberge Group. A letter was received from Richard F. Laberge, P. E. President of Laberge Group offering assistance with the MS4 Program.

MINUTES OF THE TOWN BOARD MEETING OF APRIL 27, 2011

County Route 64 Speed Limit Investigation/DOT. A letter was received on April 18, 2011 from Paul E. McAnany, P. E. Acting Regional Traffic Engineer of the State of NY Department of Transportation, regarding the finished investigation of the speed limit reduction to 45MPH on CR 64 between Fisherville Road and the Town of Horseheads/ Town of Big Flats boundary line.

Supervisor Dean made a motion seconded by Councilperson Fairbrother, to enter into executive session for particular personnel matter to follow immediately after the Water Board Meeting, all in favor, motion carried.

Councilperson Fairbrother made a motion, seconded by Councilperson Gillette to adjourn the Town Board meeting at 8:05 p.m. All in favor, motion carried.

WATER BOARD

Supervisor Dean called the Water Board meeting to order at 8:06 p.m.

OLD BUSINESS

RESOLUTION NO. 137-11  
PUBLIC HEARING FOR UTILIZING REPAIR RESERVE FUNDS FROM WATER  
DISTRICT NO. 1 AND WATER DISTRICT NO. 2 APPROVED

Resolution by: Fairbrother  
Seconded by: Smith

WHEREAS Water Districts 1 & 2 tanks were inspected by Liquid Engineering in May, 2010 and as a result of said inspection Liquid Engineering's recommended tank painting be performed in 2011, and

WHEREAS as a result of said inspection and planning the tank painting, Hunt Engineering was authorized in November 2010 to engineer and provide bid specifications to paint said tanks, and

WHEREAS said bids were duly advertised and received on April 19, 2011, and

WHEREAS the Town established repair reserve accounts to finance the cost of repairs and improvements, including cost of engineering and specifications, and

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6 NYCRR, Part 617.5(c) (4) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board sets a Public Hearing for May 11, 2011 at 4:31 p.m. to allow and consider public comments from any interested parties herein concerning the expenditure of Water District No. 1 and Water District No. 2 Repair Reserve Accounts to fund the water tank projects as follows:

MINUTES OF THE TOWN BOARD MEETING OF APRIL 27, 2011

RESOLUTION NO. 137-11, PUBLIC HEARING FOR UTILIZING REPAIR RESERVE FUNDS FROM WATER DISTRICT NO. 1 AND WATER DISTRICT NO. 2 APPROVED continued

Water District #1	\$20,000.00
Water District #2	\$100,000.00

FURTHER RESOLVED the Town Board authorizes the Town Clerk to advertise the aforementioned hearing.

CARRIED: AYES: Smith, Fairbrother, Gillette, Dean  
NAYS: None

Councilperson Fairbrother made a motion, seconded by Councilperson Gillette to adjourn the Water Board meeting at 8:07 p.m. All in favor, motion carried.

Date approved: \_\_\_\_\_

Linda J. Cross  
Town Clerk