

MINUTES OF THE TOWN BOARD MEETING OF APRIL 9, 2014

PRESENT: Supervisor Edward Fairbrother
 Council Andy Gillette
 Lee Giammichele
 Mike Saglibene
 Bob Adams
 Attorney Thomas Reilly
 Clerk Linda Cross

Supervisor Fairbrother called the Town Board meeting to order at 4:30 p.m. and requested those present to participate in the Pledge of Allegiance.

Chemung County Industrial Development Agency (CCIDA) presentation given by, George E. Miner Executive Director and Honorable Senator Tom O'Mara.

Supervisor Fairbrother introduced– Stew the Representative and Scott Assistant Service Manager from Air Temp who has maintained our HVAC System. Supervisor Fairbrother asked them to explain and answer the Board questions about our HVAC System, before making any decision to possibly enter into a new contract.

CONCERNS OF THE PEOPLE – Robert H. Hall 302 Hibbard Road, stated The Town of Big Flats has strict signage laws except when it had to do with the Political signage during our last election which included Town, County and State people. Mr. Hall's concerns with the number of signs posted, where they were posted, the large size, along with the time length they were up. Mr. Hall was also very concerned why signs were placed on the Railroad property. Mr. Hall asked if the Board would look into the town laws and making politicians accountable. Supervisor Fairbrother stated he will look at the Signage Town Law, and would speak with the Code Enforcement officer when he returned from vacation, and get back to Mr. Hall.

Karen Estep 45 Owen Hollow Road, asked the Town Board Members to drive up Owen Hollow/Olcott Road, and check out her neighbors with all the RV's, Horse Trailers, and Trucks they have parked in there yard and its out of control. She is frustrated, because it looks like a construction site across the road from her home. Karen asked the Town Board for better Laws regarding this. Supervisor Fairbrother replied he will look into this.

REPORTS

Supervisor Fairbrother stated the following reports for March 2014 have been received and are on file in the office of the Town Clerk:

Town Clerk's Monthly Report, Supervisor's Fund Balance Report, Youth Department Monthly Report, Department of Public Works Monthly Report, Water Department Monthly Report, Assessor's Monthly Report, Code and Planning Department Monthly Report, Community Center Monthly Report, SPCA Monthly Report.

MINUTES OF THE TOWN BOARD MEETING OF APRIL 9, 2014

UNFINISHED BUSINESS

RESOLUTION NO. 115-14

CAMPING WORLD SALES EVENT TEMPORARY SPECIAL USE PERMIT APPROVED

Resolution by: Gillette

Seconded by: Giammichele

WHEREAS the Planning Board has received an application from Camping World for site plan approval to permit an RV sales event located off Chambers Road, Tax Parcel 58.03-1-1.11, and

WHEREAS the property is located in the Business Regional (BR) district, and

WHEREAS the proposed action is to be located in the Arnot Mall parking lot, (Sections; 326-316-273-192) on Chambers Road, and

WHEREAS vehicle sales 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 March 26, 2014 whereas all interested parties were duly heard, and

WHEREAS the Planning Board of the Town of Big Flats granted preliminary site plan approval, on April 1, 2014, and

WHEREAS the Planning Board of the Town of Big Flats has determine, 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 issuing a Negative Declaration, now

BE IT THEREFORE RESOLVED the Town Board approves the special use permit for Camping World with the following conditions:

- Hours of Operation shall be limited to hours within the times of 6:00 am EST and 11:00 pm EST
- The dates of the sales event shall be May 1, 2014 –May 5, 2014
- The applicant may begin moving vehicles onto the site three days prior to the sale, April 28, 2014
- All vehicles shall be removed and the site shall be returned to original condition no later than May 8, 2014
- Operational lighting shall follow the schedule of the plaza
- All signage shall comply with Town of Big Flats Municipal Code Chapter 17.52
- Applicant shall adhere to the site layout as depicted on the approved Site Plan
- Final site plan approval by the Town of Big Flats planning board

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother

NAYS: None

MINUTES OF THE TOWN BOARD MEETING OF APRIL 9, 2014

RESOLUTION NO. 116-14
FIREWORKS PERMIT FOR BIG FLATS COMMUNITY DAYS APPROVED

Resolution by: Saglibene
Seconded by: Adams

WHEREAS Big Flats Community Day's Inc. will be holding their Annual Community Days Festival June 19 through 21, 2014, and

WHEREAS Big Flats Community Day's, Inc has contracted with American Fireworks Mfg. Co. Inc. to conduct a fireworks display on June 20, 2014, with a rain date of June 21, 2014, 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 Fireworks Commissioner Lee Giammichele to sign the Fireworks Permit, contingent upon the review and approval by the Attorney of the Town, permitting the fireworks display per the agreement between by Big Flats Community Day's, Inc. and American Fireworks Manufacturing Co. to be held on June 20, 2014, and a rain date of June 21, 2014

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother
NAYS: None

RESOLUTION NO. 117-14
TEMPORARY PART-TIME ASSISTANT CLERK TO THE JUSTICE APPROVED

Resolution by: Giammichele
Seconded by: Adams

WHEREAS the Town Justice have recommended the Town Board hire Sharon E. Race for the Temporary Part-time Assistant Clerk to the Justice, and

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

BE IT THEREFORE RESOLVED the Town Board authorizes the hiring of Sharon E. Race 216 Leisure Lane, Horseheads, NY 14845, as the Temporary Part-time Assistant Clerk to the Justice, effective April 3, 2014 at the rate of \$12.00 per hour.

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother
NAYS: None

MINUTES OF THE TOWN BOARD MEETING OF APRIL 9, 2014

RESOLUTION NO.118-14
APRIL 09, 2014 COMMUNICATIONS LOG APPROVED

Resolution by: Adams
Seconded by: Saglibene

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:

March 20, 2014

Keller McIntyre & Associates – RE: Federal Funding for Town of Big Flats Major Programs and Projects. *Referred to: Town Supervisor, Town Board, Commissioner of Public Works and Town Clerk for filing.*

March 27, 2014

State of New York Department of Transportation – RE: Public Auction, 2 properties located in the Town of Big Flats. *Referred to: Town Supervisor, Town Board, Assessor, Code Enforcement and filed with the Town Clerk.*

March 27, 2014

United States Postal Service – RE: Volunteer study and report the delivery of your mail. *Referred to: Town Supervisor, Assessor, and filed with the Town Clerk.*

April 2, 2014

Time Warner Cable – RE: Agreement with programmers' services. *Referred to: filed with Town Clerk.*

April 4, 2014

Big Flats Business Association Meeting – RE: April 2, 2013 Minutes. *Referred to: filed with Town Clerk.*

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother
NAYS: None

RESOLUTION NO. 119-14
AUTHORIZATION TO GO TO BID FOR BEST VALUE HIGHWAY PAVER APPROVED

Resolution by: Giammichele
Seconded by: Gillette

WHEREAS it has been determined by the Town Supervisor, Ed Fairbrother, and Highway Supervisor, Chris Austin, that a replacement Paver is necessary for use in the Highway Department, and

MINUTES OF THE TOWN BOARD MEETING OF APRIL 9, 2014

RESOLUTION NO. 119-14, AUTHORIZATION TO GO TO BID FOR BEST VALUE
HIGHWAY PAVER APPROVED continued

WHEREAS the Town Supervisor and Highway Supervisor will solicit and receive bids from various vendors and to determine for the Town the Best Value, and

WHEREAS the bids are not to exceed Forty-five Thousand Dollars (\$45,000), and

WHEREAS for environmental review purposes, purchasing is a Type II action in accordance with SEQRA 6 NYCRR, Part 617.5 (c) (25) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED that the Town Board authorizes the Town Supervisor and Highway Supervisor to solicit bids for a Highway Paver for use within the highway department, not to exceed Forty-five Thousand Dollars (\$45,000).

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother
NAYS: None

RESOLUTION NO. 120-14
PURCHASE OF THREE FORD TRUCKS FOR THE HIGHWAY DEPARTMENT
APPROVED

Resolution by: Giammichele
Seconded by: Adams

WHEREAS the Town Supervisor and the Highway Supervisor recognize the need to purchase three new trucks for the Highway Department, and

WHEREAS the purchase of the three new trucks was planned and budgeted by the Town Board for the year 2014, and

WHEREAS for environmental review purposes, purchasing is a Type II action in accordance with SEQRA 6 NYCRR, Part 617.5 (c) (25) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED that the Town Board authorizes the Town Supervisor and Highway Supervisor to purchase a 2014 Ford F-250 Regular Cab, a 2014 Ford F-250 XL Crew Cab, and a 2014 Ford F-450 XL Regular Cab with Utility Box from Van Bortel Ford as outlined on Quotes #15922, #15923, and #15924 on the 2014 Chautauqua Bid Group 5, Item 3, Veh 1, for the sum not to exceed \$25,674.79, Group 5, Item 3, Veh 3, for the sum not to exceed \$29,320.69, and Group 6, Item 2, Veh 1, for the sum not to exceed \$47,518.44.

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother
NAYS: None

MINUTES OF THE TOWN BOARD MEETING OF APRIL 9, 2014

RESOLUTION NO. 121-14
PURCHASE OF A FORD F-550 TRUCK FOR DRAINAGE APPROVED

Resolution by: Adams
Seconded by: Gillette

WHEREAS the Town Supervisor and the Highway Supervisor recognize the need to purchase a new truck for the Drainage Department, and

WHEREAS the purchase of a new truck was planned and budgeted by the Town Board for the year 2014, and

WHEREAS for environmental review purposes, purchasing is a Type II action in accordance with SEQRA 6 NYCRR, Part 617.5 (c) (25) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED that the Town Board authorizes the Town Supervisor and Highway Supervisor to purchase a 2014 Ford F-550 XL Reg Cab 4WD DRW 141" WB 60" CA dump truck from Van Bortel Ford as outlined on Quote #15925 On the 2014 Chautauqua Bid Group 6, Item 3, Veh 1, for the sum not to exceed \$50,908.60.

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother
NAYS: None

Supervisor Fairbrother reported:

- Black Gold will not reopening this year, he is working with Andy Avery Commissioner of Public works and Chris Austin Highway Supervisor with an alternative.
- Parks – talking about updating the ball fields.
- Supervisor Fairbrother will attend a Job Fair April 22, 2014 for internships, possibly to utilize for the Town.
- Signed our contract for lift off and Microsoft 365, Marc is working on setting up the new computers.
- Met with the City of Elmira regarding Payroll

Councilperson Adams stated we need to list all our Town Businesses and Recreation on our new website. Councilperson Gillette stated we need to set up a group to keep up dates with this, and Councilperson Gillette would be happy to set on that group.

Supervisor Fairbrother handed out the Best Value Bids to the Board regarding the purchase of the three vehicles, and he will be making a final decision in the morning.

Supervisor Fairbrother made a motion, seconded by Councilperson Gillette to enter into executive session to discuss Lawyer/Client privilege and litigation / legal advice at 6:48 p.m. All in favor, motion carried.

Supervisor Fairbrother reconvened the Town Board meeting at 7:24 p.m.

MINUTES OF THE TOWN BOARD MEETING OF APRIL 9, 2014

Councilperson Giammichele made a motion, seconded by Councilperson Saglibene to adjourn the Town Board meeting at 7:25 p.m. All in favor, motion carried.

Date approved: _____

Linda J. Cross
Town Clerk