

MINUTES OF THE TOWN BOARD MEETING OF AUGUST 24, 2011

PRESENT: Supervisor Teresa Dean
 Council Andy Gillette
 Edward Fairbrother
 Attorney Frederick Ahrens Jr.
 Town Clerk Linda Cross
ABSENT: Council Mike Smith

TOWN BOARD

Supervisor Dean called the Town Board meeting to order at 7:00 p.m. and requested those present to participate in the Pledge of Allegiance.

CONCERNS OF THE PEOPLE - None

MINUTES

Councilperson Fairbrother made a motion, seconded by Councilperson Gillette to approve the minutes of July 27, 2011 as presented. All in favor, except Councilperson Smith was absent, motion carried.

Councilperson Gillette made a motion, seconded by Councilperson Fairbrother to approve the minutes of August 10, 2011 as presented. All in favor, except Councilperson Smith was absent, motion carried.

NEW BUSINESS

RESOLUTION NO. 184-11
ABSTRACT OF AUDITED VOUCHERS APPROVED

Resolution by: Fairbrother
Seconded by: Gillette

RESOLVE that the Town of Big Flats approve the Abstract of Audited Vouchers for August 2011, vouchers 11366 - 11467 and order the bills paid, when in funds, for the following:

GENERAL FUND	\$ 49,828.09
HIGHWAY FUND	\$ 566,049.38
WATER DISTRICT #1	\$ 5,316.14
WATER DISTRICT #2	\$ 5,228.35
WATER DISTRICT#3	\$ 46,537.39
WATER DISTRICT #4	\$ 4,109.83
LIGHTING DISTRICT	\$ 502.11
TRUST & AGENCY	\$ 445.01

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

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RESOLUTION NO. 185-11
BUDGET AMENDMENT APPROVED

Resolution by: Gillette
Seconded by: Fairbrother

WHEREAS a memorandum was received from the Bookkeeper, dated August 18, 2011 requesting authorization for a budget amendment due to the receipt of a FEMA grant for Jackson Basin Detention Project Phase 1, and

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

BE IT THEREFORE RESOLVED the Town Board authorizes the following 2011 General Fund budget amendment:

Increase Estimated Revenue	A0510	\$17,288.81
Increase Federal Aid Emergency Disaster	A4960	\$17,288.81

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

RESOLUTION NO. 186-11
BUDGET TRANSFER APPROVED

Resolution by: Fairbrother
Seconded by: Gillette

WHEREAS a memorandum was received from the Bookkeeper, dated August 18, 2011, requesting authorization to complete a budget transfer for Water District #4, 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 Bookkeeper to fulfill the following budget transfers:

FROM:	Workers Comp.	S49040.0800	\$150.00
TO:	Trans & Distrb	S48340.0400	\$150.00

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

MINUTES OF THE TOWN BOARD MEETING OF AUGUST 24, 2011

RESOLUTION NO. 187-11
PURCHASE OF CUSTODIAL UNIFORMS APPROVED

Resolution by: Gillette
Seconded by: Fairbrother

WHEREAS the Community Center Custodians are required to wear uniform shirts, and

WHEREAS due to normal wear and tear, it is necessary to replace some periodically, and

WHEREAS three of the four custodians have requested replacements and the Director feels this is an appropriate expenditure of budgetary funds, 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 purchase of six (6) tee shirts, two (2) sweatshirts embroidered with Community Center and custodians' names from Unique Solutions not to exceed \$140.00.

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

RESOLUTION NO.188-11
KYONG S. CAPWELL ZUMBA INSTRUCTOR APPROVED

Resolution by: Fairbrother
Seconded by: Gillette

WHEREAS the Community Center Director has determined and recommended that a Zumba Instructor is needed to provide general recreational activities as part of the Big Flats Community Center services and programs, and

WHEREAS for environmental purposes the contracting of such services is a Type II administration 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 hereby authorizes the Town Supervisor to execute a service contract with Kyong S. Capwell for the purpose of teaching Zumba classes at the cost of 80% of the fee charged in accordance with the terms and conditions of the agreement.

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

MINUTES OF THE TOWN BOARD MEETING OF AUGUST 24, 2011

Councilperson Fairbrother made a motion seconded by Councilperson Gillette to add a request regarding Fisherville Road to the Agenda. All in favor, except Councilperson Smith was absent, motion carried.

RESOLUTION NO.189-11
CHEMUNG COUNTY LEGISLATURE TO CONSIDER ABANDONING A PORTION OF
FISHERVILLE ROAD APPROVED

Resolution by: Fairbrother
Seconded by: Gillette

WHEREAS the Town of Big Flats Planning Board received an application from Williams Honda Dealership for Site Plan Review and Approval to permit a vehicle dealership located on County Route 64, Tax Parcel 58.03-1-52.1, and Fisherville Road, Tax Parcels 58.03-1-45, 58.03-1-46 and 58.03-1-47, and

WHEREAS Williams Honda Dealership has an opportunity to purchase Tax Parcel 58.03-1-52.1 that is currently owned by a not-for-profit corporation which would convert the aforementioned parcel to taxable status property, and

WHEREAS the Town of Big Flats Comprehensive Plan and Municipal Code identified Tax Parcels 58.03-1-52.1, 58.03-1-45, 58.03-1-46 and 58.03-1-47 as a Business Retail (BR) district which permits vehicle dealerships, and

WHEREAS the Town of Big Flats Planning Board had reviewed the application from Williams Honda Dealership finding this use to be consistent with the Municipal Code and recommended approval with the condition, due to lot coverage requirements, the applicant acquire a portion of property and/or Fisherville Road that would make Tax Parcel 58.03-1-52.1 contiguous to Tax Parcels 58.03-1-45, 58.03-1-46 and 58.03-1-47, and

WHEREAS the Chemung County Planning Board had reviewed the application from Williams Honda Dealership finding no concerns and adopted a motion that the application be approved subject to SWWP and all ownership transfers, and

WHEREAS for environmental review purposes the Town Board finds this to be Type II administrative action pursuant to 6NYCRR 617.5(c)(19) and as such, no environmental review is required for a Type II action, now

BE IT THEREFORE RESOLVED after reviewing the proposed project, the Town Board feels it is in the best interest of the Town of Big Flats, County of Chemung and Horseheads Central School District to have these parcels utilized to their fullest extent possible to help increase the tax base which is consistent with the proposed project, and

FURTHER RESOLVED that in this specific proposed project, a not-for-profit parcel will become a tax based parcel, and

MINUTES OF THE TOWN BOARD MEETING OF AUGUST 24, 2011

RESOLUTION NO.189-11, CHEMUNG COUNTY LEGISLATURE TO CONSIDER ABANDONING A PORTION OF FISHERVILLE ROAD APPROVED continued

FURTHER RESOLVED due to the fact that other properties will be affected by the consideration of abandoning a the specified portion of Fisherville Road, it is further recommended that the appropriate right-of-way easements and agreements be provided to these property owners so that their right of egress/ingress are not effected, and

RESOLVED the Town Board ask that the Chemung County Legislature consider abandoning a portion of Fisherville Road.

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

CORRESPONDENCE

Final State Equalization Rate/NYS Dept. of Taxation & Finance Real Property Tax Service. A Certificate, dated August 9, 2011, was received from by Brian F. Moon, Real Property Analyst 2, regarding the State Office of Real Property Tax Services established a final State equalization rate of 100% for the Town of Big Flats.

New Regional Economic Development Councils/Laberge Group. A letter dated August 8, 2011, was received from Richard F Laberge, PE President of Laberge Group, regarding the new regional economic development councils.

Councilperson Fairbrother made a motion, seconded by Councilperson Gillette to adjourn the Town Board meeting at 7:09 p.m. All in favor, except Councilperson Smith was absent, motion carried.

Date approved: _____

Linda J. Cross
Town Clerk