

MINUTES OF THE WATER / TOWN BOARD MEETING OF DECEMBER 28, 2015

PRESENT: Supervisor Ed Fairbrother
Council Andy Gillette
Bob Adams
Lee Giammichele
Mike Saglibene
Attorney Tom Reilly
Town Clerk Linda Cross

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

NEW BUSINESS

RESOLUTION NO. 249-15
REFUND OF OVERPAYMENT DUE TO A NON STANDARD WATER METER
APPROVED

Resolution by: Gillette
Seconded by: Giammichele

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

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RESOLUTION NO. 249-15, REFUND OF OVERPAYMENT DUE TO A NON STANDARD WATER METER APPROVED continued

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: Gillette, Giammichele, Adams, Saglibene, Fairbrother

NAYS: None

Since there was no further business to come before the Water Board, Supervisor Fairbrother closed the Water Board at 4:33 p.m.

Supervisor Fairbrother called the Town Board Meeting to order at 4:34 p.m.

CONCERNS OF THE PEOPLE - None

MINUTES

Councilperson Giammichele made a motion, seconded by Councilperson Adams to approve the Town Board minutes of October 28, 2015 as presented. All in favor, motion carried.

Councilperson Giammichele made a motion, seconded by Councilperson Adams to approve the Special Town Board minutes of November 12, 2015 as presented. All in favor, motion carried.

Councilperson Giammichele made a motion, seconded by Councilperson Adams to approve the Town Board minutes of November 18, 2015 as presented. All in favor, motion carried.

Councilperson Giammichele made a motion, seconded by Councilperson Adams to approve the Special Town Board minutes of November 30, 2015 as presented. All in favor, motion carried.

Councilperson Giammichele made a motion, seconded by Councilperson Adams to approve the Town Board minutes of December 9, 2015 as presented. All in favor, motion carried.

NEW BUSINESS

RESOLUTION NO. 250-15
BUDGET TRANSFERS APPROVED

Resolution by: Giammichele
Seconded by: Adams

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

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RESOLUTION NO. 251-15
ABSTRACT OF AUDITED VOUCHERS FOR DECEMBER 28, 2015 APPROVED

Resolution by: Saglibene
Seconded by: Gillette

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

RESOLUTION NO. 252-15
MEMBERSHIP IN THE ALLIANCE PLAN FOR WORKERS' COMPENSATION
APPROVED

Resolution by: Gillette
Seconded by: Giammichele

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 BE IT 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: Gillette, Giammichele, Adams, Saglibene, Fairbrother
NAYS: None

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RESOLUTION NO.253-15
BIG FLATS AMERICAN LEGION GAMES OF CHANCE LICENSE FOR 2016
APPROVED

Resolution by: Giammichele
Seconded by: Adams

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

RESOLUTION NO. 254-15
2016 ASSOCIATION OF TOWNS TRAINING & ATTENDANCE APPROVED

Resolution by: Adams
Seconded by: Saglibene

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

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RESOLUTION NO. 254-15, 2016 ASSOCIATION OF TOWNS TRAINING & ATTENDANCE APPROVED continued

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

RESOLUTION NO. 255-15
2016 ORGANIZATIONAL MEETING SET

Resolution by: Saglibene
Seconded by: Gillette

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

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

RESOLUTION NO. 256-15
COMMUNICATION LOG DECEMBER 28, 2015 APPROVED

Resolution by: Gillette
Seconded by: Giammichele

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

Tabled to an Uncertain Date:

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 NO. 257-15

2016 WINTER TAFFY EMPLOYEE, MINIMUM WAGE AMENDMENT APPROVED

Resolution by: Adam

Seconded by: Saglibene

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 amount 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: Gillette, Giammichele, Adams, Saglibene, Fairbrother
NAYS: None

RESOLUTION NO. 258-15
DEFERRED COMPENSATION PLAN, NATIONWIDE FINIANCIAL SERVICES INC.
APPROVED

Resolution by: Saglibene
Seconded by: Gillette

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) year ending on December 31, 2016.

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

RESOLUTION NO. 259-15
SETTING THE TOWN OF BIG FLATS INSURANCE CONTRIBUTION RATES OF
RETIRES INSURANCE FOR 2016 APPROVED

Resolution by: Gillette
Seconded by: Giammichele

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

RESOLUTION NO.259-15, SETTING THE TOWN OF BIG FLATS INSURANCE CONTRIBUTION RATES OF RETIRES INSURANCE FOR 2016 APPROVED
continued

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 BE IT RESOLVED the Town Board approves the Insurance Contribution rate for retirees for the year of 2016 at a rate of 25%.

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

RESOLUTION NO. 260-15
AUTHORIZING THE TOWN SUPERVISOR TO ENTER INTO AN AGREEMENT WITH ELISABETH CORVELEYN FOR CONSULTING SERVICES APPROVED

Resolution by: Giammichele
Seconded by: Adams

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

RESOLUTION NO. 261-15
DPW SR. CLERK PART-TIME POSITION CHANGED TO FULL-TIME POSITION

Resolution by: Adams
Seconded by: Saglibene

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 Senior Clerk, 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 Senior Clerk effective payroll #1 of 2016.

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

Supervisor Fairbrother reported on General Items listed below:

- Assessing – office open Monday, Tuesday and Wednesday’s all day.
- Oath of Office / then Organizational meeting January 5th at 4:30PM
- Water metering update handout to board
- Talk about fees will be listing in Organizational Minutes
- Sales tax – still on target
- HVAC in town hall – meetings are set up
- IT with the county in two weeks
- New World program – starting 2nd quarter for Payroll

Councilperson Gillette made a motion, seconded by Councilperson Giammichele to adjourn the Town Board meeting at 5:26 p.m. All in favor, motion carried.

Date approved: _____ Linda Cross
Town Clerk