

MINUTES OF THE TOWN BOARD MEETING OF DECEMBER 29, 2010

PRESENT: Supervisor Teresa Dean
 Council Ed Fairbrother
 Dave Manchester
 Attorney Frederick Ahrens Jr.
 Town Clerk Linda Cross

ABSENT: Council Marcia Hudock
 Mike Smith

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

WATER BOARD

NEW BUSINESS

RESOLUTION NO. 238-10
BUDGET TRANSFER APPROVED

Resolution by: Fairbrother
Seconded by: Manchester

WHEREAS a memorandum was received from the Bookkeeper, dated December 22, 2010, 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 Water Board authorizes the Bookkeeper to fulfill the following budget transfers:

FROM:	Hospital & Dental Ins.	\$49060.0800	\$400.00
TO:	S&S Power & Pump	\$48320.0400	\$400.00

CARRIED: AYES: Manchester, Fairbrother, Dean
 NAYS: None ABSENT: Hudock, Smith

Councilperson Manchester made a motion, seconded by Councilperson Fairbrother, to adjourn the Water Board meeting at 4:32 p.m. All in favor, except Councilperson Smith and Councilperson Hudock were absent, motion carried.

TOWN BOARD

Supervisor Dean called the Town Board meeting to order at 4:33 p.m.

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CONCERNS OF THE PEOPLE - None

MINUTES

Councilperson Fairbrother made a motion, seconded by Councilperson Manchester to approve the minutes of October 27, 2010 as presented. All in favor except Councilperson Hudock and Councilperson Smith were absent, motion carried.

Councilperson Manchester made a motion, seconded by Councilperson Fairbrother to approve the minutes of November 10, 2010 as presented. All in favor except Councilperson Hudock and Councilperson Smith were absent, motion carried.

Councilperson Fairbrother made a motion, seconded by Councilperson Manchester to approve the minutes of November 17, 2010 as presented. All in favor except Councilperson Hudock and Councilperson Smith were absent, motion carried.

Councilperson Manchester made a motion, seconded by Councilperson Fairbrother to approve the minutes of December 8, 2010 as presented, except for on the last page seconded by Councilperson, "Manchester" was missing. All in favor except Councilperson Hudock and Councilperson Smith were absent, motion carried.

REPORT

Councilperson Manchester presented to the Town Board the recommendation for the vacancy of Councilperson from the Big Flats Republican Committee.

RESOLUTION NO.239-10
ABSTRACT OF AUDITED VOUCHERS APPROVED

Resolution by: Fairbrother
Seconded by: Manchester

RESOLVE that the Town of Big Flats approve the Abstract of Audited Vouchers for December 2010, vouchers 10514 - 10625 and order the bills paid, when in funds, for the following:

GENERAL FUND	\$358,064.95
HIGHWAY FUND	\$ 37,810.24
SEWER DISTRICT	\$ 86.61
WATER DISTRICT #1	\$ 3,745.79
WATER DISTRICT #2	\$ 4,008.44
WATER DISTRICT #3	\$ 1,239.75
WATER DISTRICT #4	\$ 640.99
LIGHTING DISTRICT	\$ 627.37
TRUST & AGENCY	\$ 531.75

CARRIED: AYES: Manchester, Fairbrother, Dean
NAYS: None ABSENT: Hudock, Smith

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RESOLUTION NO. 240-10
BUDGET TRANSFERS APPROVED

Resolution by: Manchester
Seconded by: Fairbrother

WHEREAS a memorandum was received from the Bookkeeper, dated December 22, 2010, requesting authorization to complete budget transfers, 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:	Miscellaneous	D5140.0400	\$100.00
TO:	Administration	D50101.0400	\$100.00
FROM:	Contingency	A1990.0400	\$110.00
TO:	A Control of Dogs-A3510.0400		\$110.00

CARRIED: AYES: Manchester, Fairbrother, Dean
NAYS: None ABSENT: Hudock, Smith

RESOLUTION NO. 241-10
SETTING A PUBLIC HEARING FOR PROPOSED ZONING AMENDMENT

Resolution by: Fairbrother
Seconded by: Manchester

WHEREAS the Town of Big Flats Department of Planning Staff had reviewed the Town of Big Flats Comprehensive Plan and the Town of Big Flats Town Center Strategic Plan and found reasonable facts to support a Comprehensive Zoning Amendment, and

WHEREAS Town of Big Flats Municipal Code 17.68.010 provides the Town of Big Flats Town Board an avenue to amend the Town of Big Flats Zoning Law, now

BE IT THEREFORE RESOLVED the Town Board sets a Public Hearing for January 12, 2011 at 4:35 p.m. on the Comprehensive Zoning Amendment, Local Law #1 of 2011.

CARRIED: AYES: Manchester, Fairbrother, Dean
NAYS: None ABSENT: Hudock, Smith

RESOLUTION NO. 242-10
FEE SCHEDULE REGARDING THE DOG LICENSING AMENDED

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Resolution by: Manchester
Seconded by: Fairbrother

WHEREAS the Town Board approved Resolution No. 217-10 to amend the Local Law regarding dogs, and

WHEREAS it is necessary to amend the licensing fees as stated in the fee schedule adopted, January 6, 2010, Resolution No. 79-10, 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 approves the amended fee schedule relating to Dog Licensing effective January 1, 2011:

Fee Schedule for Dog Licensing:

DOG LICENSES FEES	
	FEE ² PER YEAR
Spayed Females/Neutered Males	\$5.00
Un-spayed Females/Un-neutered Males	\$17.00
Animal Population Control Surcharge for Spayed/Neutered Dog	\$1.00
Animal Population Control Surcharge for Un-spayed/Un-neutered Dog	\$3.00
Replacement Tag	\$4.00
Purebred (1-10 dogs)	\$35.00
Purebred (11-25 dogs)	\$70.00
Animal Population Control Surcharge for Purebred	\$3.00
Enumeration Surcharge (per each unlicensed dog)	\$5.00

CARRIED: AYES: Manchester, Fairbrother, Dean
NAYS: None ABSENT: Hudock, Smith

RESOLUTION NO. 243-10
RESIGNATION OF EDITOR OF "THE *NEW* BIG FLATS TIMES"

Resolution by: Fairbrother
Seconded by: Manchester

WHEREAS a notice has been received from JoAnn Schucker, Editor of The New Big Flats Times for the town, informing the Town Supervisor of her resignation, and

WHEREAS for environmental review purposes, administration is a 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

RESOLUTION NO. 243-10, RESIGNATION OF EDITOR OF "THE *NEW* BIG FLATS TIMES", continued

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BE IT THEREFORE RESOLVED the Town Board accepts the resignation of JoAnn Schucker, effective December 31, 2010 and request the Town Supervisor send a letter of appreciation to Ms. Schucker

CARRIED: AYES: Manchester, Fairbrother, Dean
NAYS: None ABSENT: Hudock, Smith

RESOLUTION NO. 244-10
ORGANIZATIONAL MEETING DATE APPROVED

Resolution by: Manchester
Seconded by: Fairbrother

RESOLVE the Town Board sets the Organization Meeting for January 3, 2011 at 10:00 a.m.

CARRIED: AYES: Manchester, Fairbrother, Dean
NAYS: None ABSENT: Hudock, Smith

CORRESPONDANCE

Program Updates/Time Warner Cable. A letter was received from Time Warner Cable, dated December 1, 2010, regarding their programming changes.

New Pricing/Time Warner Cable. A letter was received from David J. Whalen, Director, Government Relations Central N.Y. Division, Northeast Region of Time Warner Cable, dated December 10, 2010, regarding their new Basic and Standard rates for municipality.

Property Tax Cap/ G. Jeffrey Haber. An E-mail was received from Association of Towns, requesting that the Town Board consider adopting the resolution for Property Tax Caps.

Resignation/ David Manchester. A letter of resignation as Town Board Member was received from Councilperson Manchester, dated December 21, 2010.

Councilperson Fairbrother, wished Councilperson Manchester luck with his County Legislative position, and thanked him for his services. Supervisor Dean also thanked Councilperson Manchester.

EXECUTIVE SESSION. Supervisor Dean made a motion, seconded by Councilperson Fairbrother to enter into Executive Session at 4:47 p.m. to discuss potential litigation. All in favor expect Councilperson Hudock and Councilperson Smith who were absent, motion carried.

Supervisor Dean reconvened the Town Board Meeting at 5:06 p.m.

Since there was no further business to come before the Town Board, Councilperson Fairbrother made a motion, seconded by Councilperson Manchester to adjourn the Town

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Board meeting at 5:07 p.m. All in favor except Councilperson Hudock and Councilperson Smith were absent, motion carried.

Date approved: _____

Linda Cross
Town Clerk