

MINUTES OF THE TOWN BOARD MEETING OF FEBRUARY 13, 2013

PRESENT:	Supervisor	Teresa Dean
	Council	Edward Fairbrother
		Andy Gillette
		Mike Smith
		Mike Saglibene
	Attorney	Fredrick Ahrens
	Town Clerk	Linda Cross

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

Supervisor Dean welcomed back Councilperson Andy Gillette.

CONCERNS OF THE PEOPLE – Judith Kadlec 26 Landau Drive, asked the board if they had hired a firm to look into job evaluations and salaries, and if so what is the out come of this? Supervisor Dean replied they did not hire a firm and that she had spoke with the adjoining municipalities and relayed their information to the Town Board. Any decisions that will be made will be presented at a Town Board meeting in a proposed resolution.

REPORTS

Supervisor Dean stated the following reports for December 2012 and January 2013 have been received and are on file in the office of the Town Clerk:

Town Clerk’s Monthly Report, Town Clerk’s Annual Report, Supervisor’s Fund Balance Report, Youth Department Monthly Report, Department of Public Works Monthly Report, Department of Public Works Annual Report, Assessor’s Monthly Report, Justice Court Monthly Report, Code and Planning Department Monthly Report, SPCA Monthly Report, Community Center Report.

SPCA agreed with a three year contract, and will be sending the new agreement for us to sign.

She also stated Councilperson Fairbrother mentioned that people were questioning why Horseheads School District was holding a meeting at the Big Flats Fire Department and not the Community Center. Therefore, Supervisor Dean called the Horseheads Central School District and spoke with the Administrative Assistant regarding these comments. She was informed that Superintendent Ralph Marino made the decision to hold this meeting in a different location; they had not requested a room at the Community Center.

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NEW BUSINESS

RESOLUTION NO.60 -13
STORMWATER CONTROL FACILITY MAINTENANCE AGREEMENT
APPROVED

Resolution by: Fairbrother
Seconded by: Smith

WHEREAS in accordance with the Stormwater Coalition Agreement, the Town of Big Flats is required to enter into a Stormwater Control Facility Maintenance Agreement with companies who are required to participate in the stormwater coalition review process, and

WHEREAS for environmental review, administration is a Type II action in accordance with SEQRA 5NYCRR, Part 617.5 (c) (19) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the Town Supervisor to sign the Stormwater Agreement with Randy Williams, owner of Dandy MiniMart, contingent upon the review and approval of the Town Attorney.

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

RESOLUTION NO. 61-13
NYS TOWN CLERKS ASSOCIATION CONFERENCE (NYSTCA) APPROVED

Resolution by: Smith
Seconded by: Gillette

WHEREAS the New York State Town Clerks Association, Inc. (NYSTCA) conference is a training conference for the office of the Town Clerk, and

WHEREAS said conference is held annually with representatives from New York State offices offering sessions for updates regarding new and proposed regulations that effect the daily operations of the office of the Town Clerk, and

WHEREAS Deanne Williams, former Deputy Town Clerk has agreed to provide office coverage during the absence of the Town Clerk and Deputy Town Clerk, 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

BE IT THEREFORE RESOLVED the Town Board authorizes Linda Cross, Town Clerk and Tammy Stein, Deputy Town Clerk, to attend the annual New York State Town Clerks

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RESOLUTION NO. 61-13, NYS TOWN CLERKS ASSOCIATION CONFERENCE
(NYSTCA) APPROVED continued

Association Conference held April 28 – May 1, 2013, with expenses not-to-exceed \$1,300.00 and all appropriate expenses to be paid from the appropriate budgets.

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

RESOLUTION NO. 62-13
SUPPORT FOR 2013 RESOLUTIONS AT THE ASSOCIATION OF TOWNS MEETING
APPROVED

Resolution by: Gillette
Seconded by: Saglibene

WHEREAS the Town Board has received numerous resolutions from the Association of Towns to be considered at their 2013 training school, 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 that the Town Board of the Town of Big Flats supports the adoption of the following resolutions submitted by the Association of Towns of the State of New York:

- Preserve and Strengthen Home Rule;
- Preserve Land Use Authority for Natural Gas Drilling;
- Mandate Relief;
- Publication of Legal Notices;
- Road Preservation Securities and Road Use Agreements;
- Reinstatement of Funding for School Tax Relief Exemption Administration;
- Reform Real Property Tax System;
- Waiver of Asbestos Notification Fees Associated with Municipally Owned Properties;
- Highway, Bridge and Transportation Funding;
- Surcharges to Fund Justice Courts and Town Prosecutors;
- Authority to Charge Gross Receipts Taxes on Utility Bills;
- Funding Local Costs Associated with Gas Extraction; and
- Preserve Dedicated Funds for Local Purposes.

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

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RESOLUTION NO. 63-13
TOWN SPONSORED PROGRAMS AND GROUPS FOR USE AT BIG FLATS
APPROVED

Resolution by: Saglibene
Seconded by: Fairbrother

WHEREAS the Town of Big Flats sponsors programs and groups to use the Community Center, and

WHEREAS said programs and groups require the approval of the Town Board, and

WHEREAS for environmental review purposes, this 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 following programs and/or groups to use the Community Center as a sponsored program and/or group:

AARP – Defensive Driving course;
Senior card groups: bridge (Mondays), euchre (Wednesdays), pinochle (Fridays);
Ceramics;
Senior Flexibility Exercise;
Knit & Knots;
Painting (Tuesday group with volunteer instructor Barbara);
Portrait Workshop;
Senior Dinner program;
Sewing (Wednesday group with volunteer instructor Edith);
The Players (Tuesday Bridge), and

FURTHER RESOLVED the Community Center Use Policy shall remain in full force and effect for said programs and/or groups with the exception of Section 3: Security Deposit, Fees and Cancellations and Section 4: Insurance.

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

RESOLUTION NO. 64-13
“FOOD FOR THOUGHT” WAIVER OF INSURANCE APPROVED

Resolution by: Fairbrother
Seconded by: Smith

WHEREAS an application for waiver of the insurance for use of the Big Flats Community Center has been received from Lisa Rustici, leader for the “Food for Thought” meetings previously approved by the Town Board, and

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RESOLUTION NO. 64-13, "FOOD FOR THOUGHT" WAIVER OF INSURANCE
APPROVED continued

WHEREAS Ms. Rustici has tried to obtain insurance; however, has determined it to be cost prohibited for the "Food for Thought" meetings, and

WHEREAS for environmental review purposes the Town Board finds this to be Type II administrative action pursuant to 6NYCRR 617.5(c)(20) and as such, no environmental review is required for a Type II action, now

BE IT THEREFORE RESOLVED the Town Board finds that the "Food for Thought" leader has made an effort to obtain the appropriate documentation without success, and

FURTHER RESOLVED the Town Board determines for good cause shown that a waiver be granted to the "Food for Thought" for the purpose of their meetings, and

FURTHER RESOLVED the "Food for Thought" must complete the appropriate documentation, excluding the insurance, for the use of the Big Flats Community Center.

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

RESOLUTION NO.65-13
COMMUNICATIONS LOG APPROVED

Resolution by: Saglibene
Seconded by: Gillette

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:

January 17, 2013

Laberge Group – RE: Grant Alert, Local Government Efficiency Grants. *Referred to: filed with Town Clerk.*

January 18, 2013

Friends of the Chemung River Watershed – RE: 2012 Annual Report. *Referred to: filed with Town Clerk.*

January 22, 2013

Seneca Lake Pure Waters Association Inc. – RE: Potential Impacts. *Referred to: Town Board and filed with Town Clerk.*

CSEA Employee Benefit Fund – RE: Annual Report. *Referred to: filed with Town Clerk.*

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RESOLUTION NO.65-13, COMMUNICATIONS LOG APPROVED continued

January 24, 2013

New York State Department of Environmental Conservation – RE: MS4 Audit. *Referred to: Building Inspector/code Enforcement Officer, Commissioner of Public Works, and filed with Town Clerk.*

New York State Public Service Commission – RE: NYSEG Application, 8” Diameter Natural Gas Pipeline and Association above Ground Facilities. *Referred to: filed with Town Clerk.*

January 27, 2013

Chemung County Soil & Water – RE: 2012 Countywide Steam Program Report. *Referred to: Town Board, Commissioner of Public Works and filed with Town Clerk.*

January 28, 2013

Time Warner Cable – RE: New Pricing. *Referred to: filed with Town Clerk.*

January 29, 2013

Linstar – RE: Card Production Services. *Referred to: filed with Town Clerk.*

January 30, 2013

Chemung County Legislature – RE: CARE McKean Water Treatment Facility presentation. *Referred to: Town Board and filed with Town Clerk.*

February 1, 2013

Time Warner Cable – RE: Programming Agreements. *Referred to: filed with Town Clerk.*
U.S. Department of Transportation – RE: Aeronautical Study 13-AEA-101-NR. *Referred to: filed with Town Clerk.*

February 8, 2013

Big Flats Business Association - RE: Meeting Minutes of February 6, 2013. *Referred to: filed with the Town clerk.*

CARRIED: AYES: Smith, Fairbrother, Gillette, Saglibene, Dean

NAYS: None

Councilperson Fairbrother made a motion, seconded by Councilperson Smith to adjourn the Town Board meeting at 4:41 p.m. All in favor, motion carried.

Date approved: _____

Linda J. Cross
Town Clerk