

MINUTES OF THE JANUARY 25, 2012 TOWN BOARD MEETING

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

Supervisor Dean called the Town Board meeting to order at 7:02 p.m. and requested those present to participate in the Pledge of Allegiance.

CONCERNES OF THE PEOPLE

Robert Lovejoy, 43 Hazelwood Avenue, stated concerns if the Town was going to override the 2% Tax cap, and second his concern and disappointed to see that our Chemung County Industrial Development Agency is sponsoring sales tax and mortgages recording tax abatements for Arnot Reality for a residential development that will generate no new permanent industrial jobs.

Supervisor Dean responded the Town of Big Flats did adopt a Local Law overriding the tax cap. Out of the 2% the town of Big Flats was at 0.54%, so we did not override the Tax cap. The local law protects us so they do not take it away from us for the year. The Local Law is there to protect us if the NYS Comptroller determines an interpretation is different at the time of an audit.

Supervisor Dean replied the Town does not have a say regarding the IDA agreements. The Town has the same concerns that you have addressed.

MINUTES

Councilperson Fairbrother made a motion, seconded by Councilperson Smith to approve the minutes of December 14, 2011 as presented. All in favor, motion carried.

Councilperson Smith made a motion, seconded by Councilperson Gillette to approve the minutes of December 28, 2011 as presented. All in favor, motion carried.

Councilperson Gillette made a motion, seconded by Councilperson Saglibene to approve the minutes of January 5, 2012 as presented. All in favor, motion carried.

Councilperson Saglibene made a motion, seconded by Councilperson Fairbrother to approve the minutes of January 11, 2012 as presented. All in favor, motion carried.

NEW BUSINESS

RESOLUTION NO. 76-12
2011 ACCOUNT PAYABLES APPROVED

Resolution by: Fairbrother
Seconded by: Smith

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RESOLUTION NO. 76-12, 2011 ACCOUNT PAYABLES continued

RESOLVE the Town Board approve the following 2011 Account Payables:

GENERAL FUND

Buck, Danaher, Ryan	A1930-0400	\$ 1,695.00
Chemung Canal Trust Co.	A1620-0400	\$ 297.92
	A7310-0400	\$ 728.04
	A1110-0400	\$ 14.78
	A8021-0400	\$ 19.83
	A1220-0400	\$ 195.48
	A1410-0400	\$ 35.25
Centre Concrete Co.	A3310-0400	\$ 580.00
Chemung Soft Water Service	A7140-0400	\$ 37.50
	A1640-0400	\$ 7.50
Coyne Textile Services	A7140-0400	\$ 52.68
Highway Dept. Town of Big Flats		
	A7110-0400	\$ 1,815.24
	A8540-0400	\$ 437.64
	A8021-0400	\$ 298.54
	A1355-0400	\$ 98.84
	A7310-0400	\$ 47.53
Lindsey Lawn & Garden Inc.	A7110-0400	\$ 9.10
Marjory Cleveland-Yeakel	A1110-0400	\$ 140.00
NYS Unemployment Ins.	A9050-0800	\$ 1,313.64
Parmenter Inc.	A7140-0400	\$ 181.28
Peter Supply	A1620-0401	\$ 57.00
Postler & Jackle Corp.	A7110-0400	\$ 52.49
The Repair Shop	A7310.0400	\$ 136.82
Sams's Club	A7140-0400	\$ 48.84
	A1490-0400	\$ 10.04
S & S Worldwide	A7310-0400	\$ 612.76
Staples	A1220-0200	\$ 177.18
	A7310-0400	\$ 119.95
Toshiba Business	A8021-0400	\$ 220.82
	A1110-0400	\$ 31.76
Xerox Corporation	A1490-0400	\$ 104.93

HIGHWAY FUND

Beam Mack Sales	D5130-0400	\$ 519.89
Blair Supply	D5130-0400	\$ 137.50
Chemung Canal Trust	D5130-0400	\$ 16.71
Champion Fasteners Inc.	D5130-0400	\$ 52.35
Cook Brothers	D5130-0400	\$ 185.14
Elmira Auto Spring Works	D5130-0400	\$ 1,213.89
Liftech Equipment Co. Inc	D5130-0400	\$ 61.24

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Montage Enterprises D5130.0400 \$ 34.77
 RESOLUTION NO. 76-12, 2011 ACCOUNT PAYABLES continued

Parmenter, Inc. D5130.0400 \$ 1,051.70
 Staver Hydraulics Co. D5130-0400 \$ 376.98
 Williams Lubricants Inc. D5130.0400 \$ 1,196.10

WATER FUND

Benchmark Audio S18320-0400 \$ 76.88
 S28320-0400 \$ 92.26
 S38320-0400 \$ 30.75
 S48320-0400 \$ 15.38
 Blair Supply Corporation S28340-0400 \$ 668.29
 Chemung Canal Trust Co. S18340-0400 \$ 26.63
 S28340-0400 \$ 388.58
 S38340-0400 \$ 9.84
 S48340-0400 \$ 1.45
 Coyne Textile Services S28310-0400 \$ 42.00
 Highway Dept. Town of Big Flats
 S18310-0400 \$ 943.85
 S28310-0400 \$ 943.85
 S38310-0400 \$ 345.30
 S48310-0400 \$ 69.04
 Postler & Jaeckle Corp. S28320-0400 \$ 6,948.00

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

RESOLUTION NO. 77-12
 ABSTRACT OF AUDITED VOUCHERS APPROVED

Resolution by: Smith
 Seconded by: Gillette

RESOLVE that the Town of Big Flats approve the Abstract of Audited Vouchers for December 2011, vouchers 4000497 – 4000568 and order the bills paid, when in funds, for the following:

GENERAL FUND \$ 147,701.66
 HIGHWAY FUND \$ 60,756.43
 SEWER DISTRICT \$ 19,386.95
 WATER DISTRICT #1 \$ 12,000.14
 WATER DISTRICT #2 \$ 13,762.00
 WATER DISTRICT #3 \$ 4,852.22
 WATER DISTRICT #4 \$ 961.69
 LIGHTING DISTRICT \$ 640.43
 TRUST & AGENCY \$ 499.23

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

RESOLUTION NO. 78-12
WILLIAMSON LAW BOOK COMPANY CONTRACT APPROVED

Resolution by: Gillette
Seconded by: Saglibene

WHEREAS the Town Clerk and Tax Collector currently have the Williamson Law Book Company software, and

WHEREAS said Annual Software Support contract agreement expired on January 1, 2012, 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 Town Supervisor to sign the Annual Software Support contract with Williamson Law Book Company at a cost not-to-exceed \$847.00 commencing January 1, 2012 through December 31, 2012.

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

RESOLUTION NO. 79-12
MAINTENANCE BACKUP AND RESTORE SOFTWARE PURCHASE APPROVED

Resolution by: Saglibene
Seconded by: Fairbrother

WHEREAS discussion has been made with Marc Chevalier of Cranberry Fog regarding the backup and restoration of Town computers, and

WHEREAS for environmental review, purchasing 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 approves the purchase of Acronis Backup & Recovery Advanced Server Renewal for \$227.05, and two Acronis Backup & Recovery Advanced Workstation renewals at the rate of \$32.14, and a cost not to exceed \$259.19.

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

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RESOLUTION NO. 80-12
SURFACE TECH CONTRACT APPROVED

Resolution by: Fairbrother
Seconded by: Smith

WHEREAS the Big Flats Community Center great room floor had buckled and presented a potential safety risk to town employees and the general public, and

WHEREAS a temporary fix had been made to alleviate the buckling, and

WHEREAS it is necessary and desirable to remove said floor and prepare sub-base for the installation of a new engineered wood floor, and

WHEREAS said preparation is to shop-blast the concrete sub-base and install a moisture control system, and

WHEREAS due diligence of the Commission of Public Works has resulted in the solicitation of two quotes for sub-base preparation work which the Board recognizes to constitute due diligence, 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

BE IT THEREFORE RESOLVED the Town Board authorizes the Commissioner of Public Works to enter into a contract agreement with Surface Tech to remove existing floor, shop-blast sub base and install MC Rapid Moisture Control System for a sum not to exceed Twelve thousand one hundred-thirty dollars (\$12,130.00).

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

RESOLUTION NO. 81-12
DECLERCK FLOORING, INC. CONTRACT APPROVED

Resolution by: Smith
Seconded by: Gillette

WHEREAS the Big Flats Community Center great room floor had buckled and presented a potential safety risk to town employees and the general public, and

WHEREAS a temporary fix had been made to alleviate the buckling, and

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WHEREAS it is necessary and desirable to remove said floor and prepare sub-base for the installation of a new engineered wood floor, and

RESOLUTION NO. 81-12, CONTRACT WITH DECLERCK FLOORING, INC. continued

WHEREAS the Town Board has found it desirable to have an engineered wood product floor installed to replace the existing floor, and

WHEREAS heretofore removal and preparation has been previously approved and therefore the Board recognizes the need for the installation of a new engineered wood product floor, and

WHEREAS due diligence of the Commission of Public Works has resulted in the identification of the BOEN floor product as the best suited product for the Town's application, and solicitation of a quote for installation of said engineered wood floor product which the Board recognizes to constitute due diligence, 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

BE IT THEREFORE RESOLVED the Town Board authorizes the Commissioner of Public Works to enter into a contract agreement with DeClerck Flooring Inc. for installation of a new engineered wood floor for a sum not to exceed Nineteen thousand dollars (\$19,000.00).

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

Councilperson Fairbrother thanked Larry Wagner Commissioner of Public Works and Teresa Dean Town Supervisor for this long 2 year thought out project with the Community Center wood floor, all the meetings and different contractors with all their recommendation.

RESOLUTION NO. 82-12
JANUARY 25, 2012 COMMUNICATIONS LOG AS ACCEPTED

Resolution by: Gillette
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:

January 9, 2012

Dimon & Bacorn Inc., Daniel Dimon, Sr. – RE: Rectifying House and Lot Conditions. *Referred to: Code Enforcement Officer and Town Clerk for filing.*

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Minutes of the Big Flats Business Association Meeting – RE: January 4, 2012 Minutes.
Referred to: Town Clerk for filing.

RESOLUTION NO. 82-12, JANUARY 25, 2012 COMMUNICATIONS LOG AS ACCEPTED
continued

January 13, 2012

Chemung County Stormwater Coalition, Jimmie Joe Carl, P.E. – RE: Hickory View Apartments
Multi-Family Development Review of Stormwater Management Plan. *Referred to: Code
Enforcement Officer and Town Clerk for filing.*

Municipal and School District Accounting and Consulting Carol Golden – RE: Assistance with
the 2011 Financial Report. *Referred to: Town Clerk for filing.*

C.T. Male Associates, Rachel Bowen, Project Development Manager – RE: Help surveying and
sampling current conditions of your roads. *Referred to: Department of Public Works and Town
Clerk for filing.*

Chemung County Legislature – RE: Amendment to Sales Tax Agreement. *Referred to: Town
Board and Town Clerk for filing.*

Interoffice Memo – RE: Deputy Town Supervisor Appointment. *Referred to: Town Clerk for
filing.*

January 23, 2012

Association of Towns – RE: 2012 Training School & Annual Meeting. *Referred to: Town
Clerk for filing.*

Friends of the Chemung River Watershed – RE: 2011 Annual Report. *Referred to: Town Clerk
for filing.*

Al and Linda Redner – RE: Accounting – Big Flats Senior Bus Trips. *Referred to: Town Clerk
for filing.*

United States Environmental Protection Agency, Douglas McKenna, Chief Water Compliance
Branch – RE: MS4 Inspection – Town of Big Flats. *Referred to: Department of Public Works,
Code Enforcement Officer, and Town Clerk for filing.*

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

Councilperson Fairbrother made a motion to enter into executive session to discuss personal
job history of a particular individual and their job performance, seconded by Councilperson
Smith. All in favor, motion carried.

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Supervisor Dean made a motion to temporarily suspend the Town Board meeting at 7:21 p.m.

WATER BOARD

Supervisor Dean called the Water Board meeting to order at 7:22 p.m.

NEW BUSINESS

RESOLUTION NO. 83-12
ENCUMBRANCE FUNDS APPROVED

Resolution by: Fairbrother
Seconded by: Smith

RESOLVE the Town Board authorizes the following encumbrances for Water Districts #1 & 2 Well painting Project:

S1.1440.0400	CE-Engineering	\$ 1,573.08
S2.1440.0400	CE-Engineering	\$ 3,445.08
S2.8320.0200	CO-S of S Pwr & Pump	\$136,400.00

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

Supervisor Dean closed the Water Board meeting at 7:22 p.m.

Supervisor Dean reconvened the Town Board meeting at 7:23 p.m.

Councilperson Fairbrother ask the Town Clerk to enter into the minutes the name of Andrew Panaski, 9 Bell Lane, Horseheads, NY that has attended this Town Board meeting. Andrew Panaski is a Boy Scout working on his Communication Badge for Troop number 3097 at the Big Flats American Legion.

The Town Board entered into executive session at 7:23 p.m. with no anticipation of having any resolution.

Supervisor Dean adjourned the Town Board meeting at 9:22 p.m.

Date approved: _____

Linda J. Cross
Town Clerk