

MINUTES OF THE TOWN BOARD MEETING OF JULY 14, 2010

PRESENT: Supervisor Teresa Dean
 Council Edward Fairbrother
 Marcia Hudock
 Attorney Thomas Bowes
 Town Clerk Linda Cross
ABSENT Council David Manchester
 Mike Smith

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.

CONCERNS OF THE PEOPLE

Judy Zimmerman, 29 Churchill Road, stated the roads in her neighborhood are in better condition and inquired if the Town would be striping the roads.

REPORTS

Supervisor Dean stated the following reports for June 2010 have been received and are on file in the office of the Town Clerk:

Town Clerk's Monthly Report, Agriculture & Market Monthly Report, SPCA Monthly Report, Supervisor's Fund Balance Report, Justice Court Monthly Report, Community Center Advisory Board Minutes, Department of Planning Monthly Report, Department of Public Works Monthly Report, Assessor's Monthly Report, Assessor's Annual Report, Community Center Monthly Report.

Councilperson Fairbrother reported the Lions Club did a great job weeding in front of the municipal complex and expressed his thanks.

Supervisor Dean advised the Council that they might get phone calls regarding the TAFFY Program and the residents' access to the parks during TAFFY hours.

OLD BUSINESS

RESOLUTION NO. 167-10
RESOLUTION NO. 148-10, SUMMER T.A.F.F.Y. EMPLOYEE
AMENDMENT APPROVED

Resolution by: Fairbrother

Seconded by: Dean

WHEREAS the Big Flats Youth Services Department will be hosting the Summer TAFFY Program and the Town Board adopted Resolution No. 148-10 appointing the employees, and

WHEREAS the Youth Services Coordinator, in a memo dated July 6, 2010, requests the Town Board amend the employees, and

MINUTES OF THE TOWN BOARD MEETING OF JULY 14, 2010

RESOLUTION NO. 167-10. Summer T.A.F.F.Y Employee Amendment continued

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 amends the Summer TAFFY employees by removing Aaron Sozanski, and appointing Calla Abrunzo, 620 W. Broad Street, Horseheads, NY 14845, as Park Leader at the rate of \$7.25 per hour, effective June 28, 2010 – August 6, 2010.

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

RESOLUTION NO. 168-10
HIGHWAY LAW SECTION 284 AGREEMENT AMENDED

Resolution by: Hudock
Seconded by: Fairbrother

WHEREAS in accordance with Highway Law, Section 284, the Town Supervisor, Town Board, and Commissioner of Public Works are required to enter into an agreement regarding moneys levied and collected in the Town for repair and improvement of highways, and

WHEREAS the Town Board wishes to increase the funding to enable additional road improvements, and

WHEREAS the 2010 Section 284 Agreement needs to be amended to reflect additional funding for road improvements, 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, in accordance with Highway Law, Section 284, the Town Supervisor, Town Board and Commissioner of Public Works are authorized to amend the 2010 Highway Law Section 284 Agreement for the Expenditure of Highway money for Northcrest Road to make a new total sum of \$326,675.00.

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

MINUTES OF THE TOWN BOARD MEETING OF JULY 14, 2010

RESOLUTION NO. 169-10
VILLAGE OF HORSEHEADS AGREEMENT APPROVED

Resolution by: Fairbrother
Seconded by: Hudock

WHEREAS the Village of Horseheads and Big Flats have discussed joint services for the purpose of providing swimming privileges to Town of Big Flats residents at a cost not-to-exceed \$1,806.00 for calendar year 2010, and

WHEREAS Big Flats desires to contract with Horseheads for the purpose of having access to the Horseheads Thorne Street swimming pool, 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 Agreement with the Village of Horseheads for the purpose of providing swimming privileges to Town of Big Flats residents at a cost not-to-exceed \$1,806.00 for calendar year 2010.

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

NEW BUSINESS

RESOLUTION NO. 170-10
BOARD OF ASSESSMENT REVIEW MEMBER RESIGNATION APPROVED

Resolution by: Hudock
Seconded by: Fairbrother

WHEREAS the Town Board received a letter, dated June 16, 2010, from David A. Fiorini, Member of the Board of Assessment Review, announcing his resignation from the Board of Assessment Review immediately, 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 further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board accepts the resignation of David A. Fiorini from the Board of Assessment Review, effective July 1, 2010, and

FURTHER RESOLVED the Town Board requests the Town Supervisor send Mr. Fiorini a letter of appreciation for his dedication and service.

MINUTES OF THE TOWN BOARD MEETING OF JULY 14, 2010

RESOLUTION NO. 170-10, BOAR member Resignation continued

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

RESOLUTION NO. 171-10
PERFORMANCE BOND RELEASE APPROVED

Resolution by: Fairbrother
Seconded by: Dean

WHEREAS a timber harvesting application had been received from Randy Archer to harvest 35,175 board feet of timber from approximately 35 acres of land, Tax Parcel 46.00-3-42, and

WHEREAS the Town Board duly approved said request by adopting Resolution No. 287-09, and

WHEREAS said timber harvesting has been completed and an inspection was performed by Code Enforcement Officer, Tim Gilbert, 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 further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the release of the performance bond in the amount of One Thousand Fifty Dollars (\$1050.00) to Woodland Investment Services, Inc.

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

CORRESPONDENCE

Notice of Environmental Easement/Robinson & Cole. A letter was received from Robinson & Cole, dated June 10, 2010 regarding an Environmental Easement that affects 1250 Schweizer Road.

Energy Efficiency/State of New York Department of Public Service. A letter was received from the New York State Department of Public Service, dated June 18, 2010, regarding the availability of energy efficiency information pamphlets.

Programming Changes/Time Warner Cable. A letter was received from Time Warner Cable, dated July 6, 2010, regarding Programming Changes.

MINUTES OF THE TOWN BOARD MEETING OF JULY 14, 2010

Digital Format Changes/Time Warner Cable. A letter was received from Time Warner Cable, dated June 15, 2010, in regards to networking on new HD channels, on-demand programming and enhanced high-speed data services.

Motor Vehicle Waste Disposal Well Requirements for Municipal Facilities/US Environmental Protection Agency. A letter was received from the US Environmental Protection Agency, dated June 21, 2010, regarding motor vehicle waste disposal well requirements for the municipal facilities.

Interest in serving on the Town Board/Joshua D. Burczynski. A letter was received from Joshua Burczynski, dated June 22, 2010, advising the Town that he is interested in serving on the Town Board should any vacancies occur.

Low Sodium Made Easy/Terri Lynn Wilkens. A letter was received from Terri Lynn Wilkens, dated June 25, 2010, in regards to donations of low sodium recipes.

2010 Retirement Incentive Program/Bond, Schoeneck & King, PLLC. A letter was received from Bond, Schoeneck & King, PLLC, dated July 7, 2010, regarding the 2010 Retirement Incentive Program.

EXECUTIVE SESSION: Supervisor Dean made a motion, seconded by Councilperson Fairbrother, to enter into Executive Session to discuss particular personnel matters. Supervisor Dean invited Judy Zimmerman, Director of Recreation, and Marge Tremaine, Youth Services, to attend. All in favor, motion carried

The Town Board entered into Executive Session at 4:51 p.m.

Supervisor Dean reconvened the Town Board meeting at 8:20 p.m.

Supervisor Dean made a motion, seconded by Councilperson Fairbrother, to adjourn the Town Board meeting at 8:21 p.m. All in favor, motion carried.

Date approved: _____
Town Clerk

Linda J. Cross