

MINUTES OF THE TOWN BOARD MEETING OF JUNE 22, 2011

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

TOWN BOARD

Supervisor Dean called the Town Board meeting to order at 7:00 p.m. and requested those present to participate in the Pledge of Allegiance.

CONCERNS OF THE PEOPLE

Tom Clark, 610 County Route 64, expressed his concerns with the mowing that was completed at the neighboring vacant house.

MINUTES

Councilperson Fairbrother made a motion, seconded by Councilperson Smith to approve the minutes of May 25, 2011 as presented. All in favor, motion carried.

Councilperson Smith made a motion, seconded by Councilperson Gillette to approve the minutes of June 8, 2011 as presented. All in favor, motion carried.

OLD BUSINESS

RESOLUTION NO. 163-11
SUMMER T.A.F.F.Y. STAFF AMENDED

Resolution by: Fairbrother

Seconded by: Gillette

WHEREAS the Big Flats Youth Services Department will be hosting the Summer TAFFY Program and the Town Board adopted Resolution No. 153-11 appointing the employees, and

WHEREAS the Youth Services Coordinator, in a memo dated June 7, 2011, requests the Town Board amend the employees, 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 amends the Summer TAFFY employees by appointing Larissa Wagner of 19 Cayuga Drive, Horseheads and Carissa Kirkwood of 219 Blue Jay Drive, Horseheads for Summer T.A.F.F.Y. beginning June 27th – August 5th, 2011 at the rate of \$7.30 per hour.

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

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NEW BUSINESS

RESOLUTION 164-11
COOKING CLASSES FEE ESTABLISHED APPROVED

Resolution by: Smith
Seconded by: Gillette

WHEREAS the Big Flats Community Center offers cooking classes from time to time, which classes have had cost concerns, and

WHEREAS to avoid cost overruns in the future a fee must be substantial enough to cover compensation of the instructor and ingredients, and

WHEREAS it has been recommended by the Director of Recreation for the Community Center that a fee of \$10.00 per participant should pay more than ample, and

WHEREAS for environmental purposes the contracting of such services is a Type II administration 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 that the fee of \$10.00 per participant be established for cooking classes, and

FURTHER RESOLVED all sums collected shall be first applied to the cost of the ingredients and the balance split 60-40% between the instructor and the Town of Big Flats.

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

RESOLUTION NO.165-11
BUDGET TRANSFER APPROVED

Resolution by: Gillette
Seconded by: Smith

WHEREAS a memorandum was received from the Bookkeeper, dated June 15, 2011, requesting authorization to transfer funds due to ongoing records imaging process, 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:

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RESOLUTION NO.165-11, BUDGET TRANSFER continued

FROM:	Central Print & Mailing PS	A1670.0100	\$ 2,100
TO:	Records Management PS	A1460.0100	\$2,100

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

RESOLUTION NO. 166-11
ABSTRACT OF AUDITED VOUCHERS APPROVED

Resolution by: Fairbrother
Seconded by: Smith

RESOLVE that the Town of Big Flats approve the Abstract of Audited Vouchers for June 2011, vouchers 11152 - 11258 and order the bills paid, when in funds, for the following:

GENERAL FUND	\$ 60,475.15
HIGHWAY FUND	\$ 78,374.04
SEWER	\$ 1,210.42
WATER DISTRICT #1	\$ 4,662.95
WATER DISTRICT #2	\$ 4,137.05
WATER DISTRICT #3	\$ 1,831.57
WATER DISTRICT #4	\$ 581.85
LIGHTING DISTRICT	\$ 492.49
TRUST & AGENCY	\$ 546.49

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

RESOLUTION NO. 167-11
VIRGIL CAIN FOR A AGREEMENT APPROVED

Resolution by: Smith
Seconded by: Gillette

WHEREAS it has been determined that performances in Community Park are an asset to the residents of Big Flats, and

WHEREAS for environmental purposes the contracting of such services is a Type II administration action in accordance with SEQRA 6NYCRR, Part 617.5(c) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board hereby authorizes the Town Supervisor to execute an agreement with Virgil Cain for the purpose of performing in Community Park on July 26, 2011 at the cost of \$400.00.

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

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RESOLUTION NO. 168-11

JOHN J. RYAN, JR. OF BUCK, DANAHER, RYAN AND MC GLENN DEFENDING THE TOWN IN TAX CERTIORARI PROCEEDINGS APPROVED

Resolution by: Gillette
Seconded by: Fairbrother

WHEREAS the Assessor for the Town of Big Flats anticipates that the Town will receive Tax Certiorari's for assessment and feels that John J. Ryan, Jr. of Buck, Danaher, Ryan and McGlenn has the experience to assist with potential Tax Certiorari's, and

WHEREAS representation of said petitions is outside the agreement for the Town Attorney, 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, as recommended by the Assessor for the Town, authorizes the Town Supervisor to enter into an agreement with John J. Ryan, Jr. to represent the Town of Big Flats in defense for the Tax Certiorari's for assessment at the rate of \$150.00 per hour.

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

RESOLUTION NO. 169-11

REPORTING STANDARD WORK DAY APPROVED

Resolution by: Fairbrother
Seconded by: Smith

WHEREAS in accordance with Regulation 315.4, New York State Comptroller requires a standard work day for elected or appointed officials be established for the purpose of reporting work days to the New York State and Local Employees' Retirement System, 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 of Big Flats Town Board hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

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RESOLUTION NO. 169-11, REPORTING STANDARD WORK DAY APPROVED continued

Title	Name	Social Security Number (Last 4 Digits)	Registration Number	Standard Work Day (Hrs/day)	Term Begins / Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)
Elected Officials							
Supervisor	Teresa M. Dean	8456	36477155	6.0	01/01/2010-12/31/2013	N	20
Town Clerk	Linda J. Cross	1096	43349455	7.50	01/01/2010-12/31/2013	N	20
Tax Collector	Robert Newlun	5637	37365566	6.0	01/01/2010-12/31/2013	N	7.34
Board Member	Edward Fairbrother	5363	38021119	6.0	01/01/2008-12/31/2011	N	3.55
Board Member	Michael Smith	7450	41780180	6.0	01/01/2010-12/31/2013	N	.88
Appointed Officials							
Board Member	Andy Gillette	4948	50324227	6.0	01/01/2011-12/31/2011	N	2.88
Assessor	William Torp	5050	36382133	6.0	01/01/2008-09/30/2013	Y	N/A
Commissioner of Public Works	Larry Wagner	0080	40298218	7.5	01/01/2011-12/31/2011	Y	N/A

FURTHER RESOLVED the Town Board authorizes the Town Clerk to certify the original resolution passed by the Town Board and file the necessary documentation.

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

RESOLUTION NO. 170-11
 UPGRADE OF BOOKKEEPING SOFTWARE APPROVED

Resolution by: Smith
 Seconded by: Gillette

WHEREAS the Town of Big Flats had purchased and uses bookkeeping software from KVS Information Systems, Inc. (hereinafter KVS), and

WHEREAS KVS has developed a new release of the KVS systems that cover general ledger, budget preparation, fixed assets, accounts payable, and purchase order portions of the software application, and

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RESOLUTION NO. 170-11, UPGRADE OF BOOKKEEPING SOFTWARE continued

WHEREAS the Bookkeeper request the Town Board consider the purchase of KVS software system update, 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 approves the purchase of the Enterprise Edition Investment Proposal for the Town, dated June 6, 2011, as presented for a total cost not-to-exceed Five Thousand Six Hundred Dollars (\$5,600.00).

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

RESOLUTION NO. 171-11
COMPENSATION FOR PARK COMMISSION MEMBERS APPROVED

Resolution by: Gillette
Seconded by: Fairbrother

RESOLVE the Town Board authorizes the Chairperson of the Big Flats Parks Commission to be paid \$25.00, for each regularly scheduled monthly meeting actually attended by the Chairperson(s) and payment shall be made by a voucher and submitted to the Bookkeeper, and

FURTHER RESOLVED that each regular member of the Parks Commission of the Town of Big Flats shall be paid \$15.00 for each regularly scheduled monthly meeting, actually attended by said member and payment shall be made by a voucher submitted to the Bookkeeper.

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

RESOLUTION NO. 172-11
PROPERTY MAINTENANCE LAW PUBLIC HEARING APPROVED

Resolution by: Fairbrother
Seconded by: Smith

WHEREAS the Town Board received a request to consider a proposed Local Law dealing with property maintenance, and;

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5 (c) (20) and (27) and as such no further action is necessary regarding the same, now

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RESOLUTION NO. 172-11, PROPERTY MAINTENANCE LAW PUBLIC HEARING
continued

BE IT THEREFORE RESOLVED that the Town Board sets a public hearing to be held on July 13, 2011 at 4:32 to hear comments dealing with a proposed local law regarding Property Maintenance.

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

RESOLUTION NO. 173-11
PROBATIONARY PERIOD FOR COURT CLERK APPROVED

Resolution by: Smith
Seconded by: Gillette

WHEREAS Honorable Charles Wood and Honorable Robert Gush recommended the hiring and probationary period for Yvonna L. Kelly, 648 Palmer Road, Pine City, as the full-time court clerk, 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 approves the recognition of the end of probationary period for Yvonna L. Kelly, 648 Palmer Road, Pine City, to the position of full-time court clerk effective June 12, 2011 and approve the increase in salary of \$600.00, and

FURTHER RESOLVED the Town Supervisor is hereby authorized to complete and sign the appropriate Report of Personnel Change and Extended Payroll Certificate (RPC) for this change.

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

CORRESPONDENCE

Locating Replacement Parts / G.P. Jager & Associates, Inc. A flyer was received from G.P. Jager & Associates, Inc., announcing a new employee and offering their assistance with replacement parts for various items.

Flood Plain Mapping/Fisher Associates. A letter dated June 1, 2011 was received from Dennis Judson, Project Manager of Fisher Associates, O.E., L.S., P.C., regarding there assistance with updates for Flood Insurance maps with Chemung County.

Road Use and Comprehensive Planning Shale Gas Industrialization/ Laberge A letter dated June 6, 2011 from, Richard F. Laberge, P.E., President of Laberge, in regards to road use and comprehensive planning to prepare for the hydro fracking.

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Seeley Road Complaint/John Marci and Darlene Barnes. A letter dated May 31, 2011 was received from John Marci and Darlene Barnes, in regards to the condition of Seeley Road.

Councilperson Fairbrother made a motion, seconded by Councilperson Smith to adjourn the Town Board meeting at 7:20 p.m. All in favor, motion carried.

Date approved: _____

Linda J. Cross
Town Clerk