

MINUTES OF THE TOWN BOARD MEETING OF JUNE 12, 2013

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

NEW BUSINESS

RESOLUTION NO. 125- 13
INSPECTION AND REPLACEMENT PUMP INSTALLATION FOR WATER DISTRICT #2,
WELL #1 APPROVED

Resolution by: Fairbrother
Seconded by: Smith

WHEREAS Water District #2, Well #1 has a Layne Pump that is operated daily, and

WHEREAS pumps require periodic inspection and maintenance, and

WHEREAS Water District #2, Well #1 pump maintenance was planned and budgeted for 2013, and

WHEREAS Resolution # 89-13 authorized Layne Christensen Company to perform maintenance on Water District #2 Well #2, and

WHEREAS minimal maintenance was provided on Well #2 leaving a budgeted funds to perform maintenance on Well #1, and

WHEREAS Layne Christensen Company performed an inspection on Water District #2, Well #1 pump and determined it to be more cost effective to provide a replacement pump for a cost of \$9,845.00 rather than repair the existing pump, and

WHEREAS Layne Christensen Company provided a proposal for the inspection and replacement pump installation for estimated total of \$16,130.00, and

WHEREAS for environmental review, purchasing 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 that the Town Board authorizes Layne Christensen Company to perform the inspection and pump replacement at a cost not to exceed \$16,130.00.

MINUTES OF THE TOWN BOARD MEETING OF JUNE 12, 2013

RESOLUTION NO. 125- 13, INSPECTION AND REPLACEMENT PUMP INSTALLATION FOR WATER DISTRICT #2, WELL #1 APPROVED continued

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

Supervisor Dean closed the Water Board Meeting at 4:32 p.m.

TOWN BOARD

Supervisor Dean opened the Town Board meeting at 4:33 p.m.

CONCERNS OF THE PEOPLE - None

REPORTS

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

Town Clerk's Monthly Report, Supervisor's Fund Balance Report, Youth Department Monthly Report, Department of Public Works Monthly Report, Assessor's Monthly Report, Justice Court Monthly Report, Code and Planning Department Monthly Report, SPCA Monthly Reports April/May, Community Center Monthly Report.

NEW BUSINESS

RESOLUTION NO. 126-13

NOTIFYING THE SECRETARY OF STATE OF THE TOWN'S DESIGNATION AND APPLICABLE TIME LIMITATION FOR FILING A NOTICE OF CLAIM WITH THE TOWN APPROVED

Resolution by: Smith
Seconded by: Gillette

WHEREAS General Municipal Law, §53 requires towns to file a certificate with the Secretary of State designating the Secretary of State as an agent for service of a notice of claim, and

WHEREAS General Municipal Law, §53 requires the certificate to include the applicable time limit for filing the notice of claim and the name, post office address and electronic mail address, if available, of an officer, person, for the transmittal of notices of claim served upon the Secretary as the town's agent, and

WHEREAS pursuant to General Municipal Law, §50-e(1)(a), the applicable time limit for the filing of a notice of claim upon a town is 90 days after the claim arises, or in the case of a wrongful death action, 90 days from the appointment of a representative of the decedent's estate;

MINUTES OF THE TOWN BOARD MEETING OF JUNE 12, 2013

RESOLUTION NO. 126-13, NOTIFYING THE SECRETARY OF STATE OF THE TOWN'S DESIGNATION AND APPLICABLE TIME LIMITATION FOR FILING A NOTICE OF CLAIM WITH THE TOWN APPROVED continued

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Big Flats, County of Chemung designates Linda Cross, in her capacity as Town Clerk for the Town of Big Flats, to receive notices of claims served upon the Secretary of State by mail at 476 Maple Street, Big Flats, New York 14814 and email at townclerk@bigflatsny.gov, and

BE IT FURTHER RESOLVED that the Town Board hereby directs the Town Clerk to file the required certificate with the Secretary of State informing him or her of the town's designation and applicable time limitation for filing a notice of claim with the town on or before July 14, 2013.

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

RESOLUTION NO. 127-13
ELECTRICAL INSPECTION SERVICES LIST AMENDMENT APPROVED

Resolution by: Gillette
Seconded by: Saglibene

WHEREAS, the Town of Big Flats requires electrical work to be inspected by third party inspectors, and

WHEREAS, said third party inspectors are approved by the Town Board, 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 that Joseph M. Pellegrino, an independent representative of Commonwealth Electrical Inspection Service, Inc., shall be approved to perform electrical inspections on behalf of the Code Enforcement Office in the Town of Big Flats.

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

RESOLUTION NO. 128-13
SUMMER T.A.F.F.Y. EMPLOYEES APPROVED

Resolution by: Saglibene
Seconded by: Fairbrother

WHEREAS the Big Flats Youth Services Department will be hosting the Summer TAFFY Program and the Town Board adopted Resolution No. 115-13 appointing the employees, and

MINUTES OF THE TOWN BOARD MEETING OF JUNE 12, 2013

RESOLUTION NO. 128-13, SUMMER T.A.F.F.Y. EMPLOYEES APPROVED continued

WHEREAS the Youth Services Coordinator, in a memo dated May 23, 2013, May 29, 2013 and June 6, 2013 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 employment:

- Remove: Jonathan Szewczyk
Emma Pautz
Nicholas Nalbach

- Appoint: Jessi Barton \$7.25 per hour
Micah Page \$7.25 per hour
Paul Sechrist \$8.25 per hour

- Amend: Larie Wagner to \$8.00 per hour (Park Leader)
Larrisa Wagner to \$8.25 per hour
Brian Crimmins to \$7.30 per hour

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

NOTE: Town Clerk Cross arrived at 4:36 p.m. (Arrived straight from Albany, NY Tax seminar)

RESOLUTION NO. 129-13

A RESOLUTION AUTHORIZING THE ADVERTISEMENT OF A CUSTODIAN POSITION FOR THE BIG FLATS COMMUNITY CENTER APPROVED

Resolution by: Fairbrother
Seconded by: Smith

WHEREAS the Director of Recreation has determined that additional part-time custodian help is necessary for the purpose of maintaining the Community Center, and

WHEREAS the work involves responsibility for the efficient and economical cleaning, operation and maintenance of the Community Center and/or Town Hall on an assigned shift, and

WHEREAS work is performed under general supervision with some leeway for use of independent judgment in keeping the building up to approved standards of cleanliness and operation, and

MINUTES OF THE TOWN BOARD MEETING OF JUNE 12, 2013

RESOLUTION NO. 129-13, A RESOLUTION AUTHORIZING THE ADVERTISEMENT OF A CUSTODIAN POSITION FOR THE BIG FLATS COMMUNITY CENTER APPROVED
continued

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 authorizes the advertisement for a part-time custodian for the purpose of maintaining the Community Center.

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

RESOLUTION NO. 130-13
RECEIVING AND ACCEPTING THE JUNE 12, 2013 COMMUNICATIONS LOG
APPROVED

Resolution by: Smith
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:

May 17, 2013

Chemung County Legislature – RE: Resolution making a determination with the proposed expansion of an existing mined land use at the Elmira Corning Regional Airport. *Referred to: Code Enforcement, Department of Public Works, filed with Town Clerk.*

May 20, 2013

NYSEG – RE: Project Update – Seneca West Pipeline Interconnection Project. *Referred to: filed with Town Clerk.*

May 24, 2013

Mercy Flight Central – RE: Consideration of Supporting MFC using an Agreement of Services. *Referred to: Town Board, filed with Town Clerk.*

May 8, 2013

New York State Department of Environmental Conservation – RE: Temporary Expanded Processing Hours – Bowers Topsoil Pit. *Referred to: Code Enforcement, filed with Town Clerk.*

May 30, 2013

Chemung County Stormwater Coalition – RE: Formation of Stormwater Team Update. *Referred to: Code Enforcement, filed with Town Clerk.*

MINUTES OF THE TOWN BOARD MEETING OF JUNE 12, 2013

RESOLUTION NO. 130-13, RECEIVING AND ACCEPTING THE JUNE 12, 2013
COMMUNICATIONS LOG APPROVED continued

New York State Department of Taxation and Finance – RE: Notice of Tentative State Equalization Rate. *Referred to: Town Board, filed with Town Clerk.*

Laberge Group – RE: Funding Alert, Transportation Enhancement Program. *Referred to: Department of Public Works, filed with Town Clerk.*

June 4, 2013

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

June 7, 2013

Big Flats Business Association Meeting - RE: Minutes of June 5, 2013 minutes. *Referred to: Town Board, Town Supervisor and Town Clerk for filing.*

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

RESOLUTION NO. 131-13
AGREEMENT WITH THE CHEMUNG COUNTY SHERIFF'S OFFICE FOR SECURITY
FOR THE TOWN OF BIG FLATS COURT SESSIONS APPROVED

Resolution by: Smith
Seconded by: Gillette

WHEREAS the Town Board approved Resolution No. 41-13 authorizing the Town Supervisor to sign an agreement with the Office of Court Administration (COA) for the purpose of promoting and maintaining the security and safety of the sessions conducted by the Town of Big Flats Town Court, and

WHEREAS Office of Court Administration does not provide said services for municipal courts, and

WHEREAS the Town Board continues to desire the need to promote and maintain the security and safety of the sessions conducted by the Town of Big Flats Town Court, 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 rescinds Resolution No. 41-13 authorizing the agreement with Office of Court Administration, and

FURTHER RESOLVED the Town Board authorizes the Town Supervisor to sign the agreement with the Chemung County Sheriff's Office for the purpose of promoting and maintaining the

MINUTES OF THE TOWN BOARD MEETING OF JUNE 12, 2013

RESOLUTION NO. 131-13, AGREEMENT WITH THE CHEMUNG COUNTY SHERIFF'S OFFICE FOR SECURITY FOR THE TOWN OF BIG FLATS COURT SESSIONS
APPROVED continued

security and safety of the sessions conducted by the Town of Big Flats Town Court at a cost not-to-exceed Forty Five Dollars (\$45.00) per hour, with a 30 day written notice of termination.

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 4:49 p.m. All in favor, motion carried.

Date approved: _____

Linda J. Cross
Town Clerk