

MINUTES OF THE TOWN BOARD MEETING OF MARCH 28, 2012

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

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.

Supervisor Dean, spoke to Judy Kadlec regarding a question from the last meeting about our personnel committee. The Town Board had discussions regarding a contract to have an outside HR come in for personnel committee. But we have not found a company that would do it at this point and we are also looking at rewriting our personnel policy.

CONCERNES OF THE PEOPLE

Kerrigan Hastings, 540 Maple Street, stated she has seen and heard what Mr. Gillette had said to the media and wondered why he is so angry and asked what the youth group did so wrong for him to be so out raged?

Cody Wenzel, 2307 State Route 352, asked to make an appointment to speak with all of the board. Supervisor Dean replied she would talk to the board and asked Cody to call her the next day.

Phillis Ryder, 2875 County Line Drive, had questions regarding full coverage for the insurance. Ms. Ryder was told she could set an appointment to meet with the Town Supervisor.

MINUTES

Councilperson Fairbrother made a motion, seconded by Councilperson Smith to approve the minutes of February 29, 2012 as presented. All in favor, motion carried.

Councilperson Smith made a motion, seconded by Councilperson Gillette to approve the minutes of March 14, 2012 with the correction of Karen Estep's address 47 Owen Hollow Road. All in favor, motion carried

Councilperson Gillette made a motion, seconded by Councilperson Saglibene to approve the minutes of March 22, 2012 as presented. All in favor, motion carried

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NEW BUSINESS

RESOLUTION NO. 101-12  
ABSTRACT OF AUDITED VOUCHERS APPROVED

Resolution by: Saglibene  
Seconded by: Fairbrother

RESOLVE that the Town of Big Flats approve the Abstract of Audited Vouchers for March 2012, vouchers 4000695-4000791 and order the bills paid, when in funds, for the following:

GENERAL FUND	\$ 105,182.56
HIGHWAY FUND	\$ 35,530.51
SEWER DISTRICT	\$ 3,428.50
WATER DISTRICT #1	\$ 4,727.22
WATER DISTRICT #2	\$ 4,719.18
WATER DISTRICT #3	\$ 1,313.60
WATER DISTRICT #4	\$ 200.76
LIGHTING DISTRICT	\$ 585.18
TRUST & AGENCY	\$ 499.23

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

RESOLUTION NO. 102-12  
VOID CHECK APPROVED

Resolution by: Fairbrother  
Seconded by: Smith

WHEREAS a memorandum was received from the Bookkeeper, dated March 22, 2012 requesting authorization to void a specific check, 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 void check #10802 for \$14.95, dated March 2, 2012 and deleting voucher # 4000691 made payable to Wilson Rental Center for a payment adjustment.

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

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RESOLUTION NO. 103-12  
BUDGET AMENDMENT APPROVED

Resolution by: Smith  
Seconded by: Gillette

WHEREAS a memorandum was received from the Bookkeeper, dated March 22, 2012 requesting authorization for a budget amendment, and

WHEREAS the town is in receipt of a second payment of \$23,151.25 from New York State Office Emergency Management to reimburse for April/May 2011 storm repair work, 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 to amend the Highway Fund budget as follows:

Increase Estimated Revenue D0510	\$ 23,151.25
Increase Federal Aid Emergency Disaster – D4960	\$19,843.93
Increase State Aid Emergency Disaster - D3960	\$ 3,307.32

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

RESOLUTION NO. 104-12  
BACKYARD BROADCASTING FIREWORKS DISPLAY APPROVED

Resolution by: Gillette  
Seconded by: Saglibene

WHEREAS Backyard Broadcasting has contracted with Young Explosives to conduct a fireworks display at the Elmira Corning Regional Airport on June 23, 2012 with no rain date, 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 Fireworks Commissioner to sign the Fireworks Permit, contingent upon the review and approval by the Attorney for the Town, permitting the fireworks display sponsored by Backyard Broadcasting at the Elmira Corning Regional Airport to be held on June 23, 2012 with no rain date.

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

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RESOLUTION NO. 105-12  
EQUIPMENT LEASE AGREEMENT WITH EASTERN COPY APPROVED

Resolution by: Saglibene  
Seconded by: Fairbrother

WHEREAS the Town Clerk, Deputy Town Clerk and Town Supervisor have been in the process of evaluating and securing a new copier for the Town Hall, and

WHEREAS meetings were held with various agencies to determine the requirement and needs by Town staff for said copier, and

WHEREAS cost estimates were received from Eastern, and

WHEREAS it has been determined that the Konica Minolta Bizhub 552 Digital Workgroup offered by Eastern is the best option for the Town, 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 the Town Board approves the Equipment Lease Agreement with Eastern Copy for the Konica Minolta Bizhub 552 Digital Workgroup copier with the stapling and network option for a lease payment of \$215.00 plus maintenance and supplies at a cost of \$0.006 per copy for a term of 60 months with a fair market value purchase option at the end of the term.

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

RESOLUTION NO. 106-12  
DRAINAGE EQUIPMENT OPERATOR SALARY APPROVED

Resolution by: Fairbrother  
Seconded by: Smith

WHEREAS Leon Stiles, Drainage Equipment Operator, will be returning to work, and

WHEREAS the Drainage Equipment Operator rate of pay was not established for 2012, 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 sets the salary for Leon Stiles, Drainage Equipment Operator, at the rate of \$22.91 per hour.

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RESOLUTION NO. 106-12, DRAINAGE EQUIPMENT OPERATOR SALARY APPROVED  
continued

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

RESOLUTION NO. 107-12  
CAMPING WORLD SPECIAL USE PERMIT PUBLIC HEARING APPROVED

Resolution by: Smith  
Seconded by: Gillette

WHEREAS the Planning Board has received an application from Camping World for temporary vehicle sales for 2012 on tax parcel #57.04-1-7.17 located in the Business Regional (BR) District, and

WHEREAS the use of vehicles sales in the BR district pursuant to Chapter 17.12.010 of the Town Municipal Code requires Special Use Permit approval of the Town Board, and

WHEREAS prior to action on a Special Use Permit a Public Hearing shall be duly held by the Town Board, 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 that the Town Board sets a Public Hearing for April 11, 2012 at 4:32 p.m. to hear comments for a Special Use Permit for Camping World for RV sales for 2012.

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

RESOLUTION NO. 108-12  
BOARD OF ASSESSMENT REVIEW APPOINTMENT APPROVED

Resolution by: Gillette  
Seconded by: Saglibene

WHEREAS Thomas Rogan term as a member of the Board of Assessment Review expired September 30, 2010, and

WHEREAS Mr. Rogan had expressed interest in continuing to serve on the Board of Assessment Review, and

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RESOLUTION NO. 108-12, BOARD OF ASSESSMENT REVIEW APPOINTMENT  
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 reappoints Thomas Rogan, 114 Park Terrace, Horseheads to the Board of Assessment Review with a term ending September 30, 2016.

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

RESOLUTION NO. 109-12  
COMMUNICATIONS LOG

Resolution by: Saglibene  
Seconded by: Fairbrother

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:

February 23, 2012

Chemung County Health Department, Environmental Health Services – RE: Water District No. 2 – Carpenter Road Wells Compliance Monitoring Requirements. *Referred to: Commissioner of Public Works and filed with the Town Clerk.*

March 2, 2012

The Sunrise Family of Companies – RE: Offering Services as a Collection Agency. *Referred to: Town Clerk for filing.*

March 12, 2012

Virtual Towns & Schools – RE: Custom-designed Municipal Websites. *Referred to: Town Clerk for filing.*

Finger Lakes Resource Conservation & Development Council, Inc (RC&D) – RE: 2011 Annual Newsletter. *Referred to: Town Clerk for filing.*

March 14, 2012

New York State Division of Homeland Security and Emergency Services, Office of Emergency Management – RE: Payment for Severe Storms, Flooding, Tornadoes and Straight-Line Winds of April/May 2011. *Referred to: Commissioner of Public Works and filed with the Town Clerk.*

March 12, 15, and 16, 2012

NYSEG – RE: Case 11-T-0654-Application of New York State Electric & Gas Corporation for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII Section

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RESOLUTION NO. 109-12, COMMUNICATIONS LOG continued

121-a of the Public Service Law for Approval to Construct a 4.9 Mile Natural Gas Transmission Pipeline and Associated Facilities in the Town of Big Flats and Horseheads and the Village of Horseheads, Chemung County. *Referred to: filed with the Town Clerk.*

March 16, 2012

Binghamton University – RE: Center for Applied Community Research and Development (CACRD). *Referred to: Town Clerk for filing.*

Nancy Swartz - RE: Bullying of Youth must stop. *Referred to: Town Board and Town Clerk for filing.*

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

Setting a Special Meeting – Tabled

Supervisor Dean made a motion, seconded by Councilperson Smith, to enter into Executive Session to discuss particular personnel matter regarding job performance of individuals at 7:19 p.m. All in favor, motion carried.

The Town Supervisor reconvened the Town Board Meeting at 8:23 p.m.

Councilperson Fairbrother made a motion, seconded by Councilperson Smith to adjourn the Town Board meeting at 8:24 p.m. All in favor, motion carried.

Date approved: \_\_\_\_\_

Linda J. Cross  
Town Clerk