

MINUTES OF THE TOWN BOARD MEETING OF MARCH 13, 2013

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

**PUBLIC HEARING:** 4:30 p.m. Local Law No. 1 CR 64 Property Final

Supervisor Dean called the public hearing to order at 4:30 p.m. and read the legal notice duly advertised in the Elmira Star Gazette on March 9, 2013, which allowed and considered public comments from any interested parties herein, at the time specified, concerning, Local Law Tentatively No. 1 for the Year 2013, authorizing the sale of a portion of parcel 67.01-1-12, located south of County Route 64, adjacent to Harris Hill Road. Final adoption of said Local Law is subject to a permissive referendum.

IN FAVOR: None

OPPOSITION: None

COMMENTS: None

Supervisor Dean closed the Public Hearing at 4:32 p.m.

CONCERNS OF THE PEOPLE – Judith Kadlec, 26 Landau Drive, asked if the personnel committee would be reestablished. Supervisor Dean stated that the Town Board has been made aware that the Town Board could not act an investigator, a jury, and a judge. Judy also stated that the Community monthly flyer was not put on the website until March 12<sup>th</sup>, and stated she is still upset with the lousy website. Judy also mentioned about non residency groups for the Community Center.

Carolyn Welliver, 107 Lyons Drive Extension, thanked the Town Board and the Board member that is helping with the improving of the website.

Supervisor Dean welcomed, Tyler Burgess, a Boy Scout that meets at the Maranatha Bible Chapel who is working on a Boy Scout badge for Citizenship and Committee and needs to attend the Town Board Meeting.

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**REPORTS**

Supervisor Dean stated the following reports for February 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 Report, Community Center Monthly Report.

Supervisor Dean stated that due to request made by property owners of the conservation district, the Planner for Southern Tier Central Regional Planning and Development Board has agreed to review the conservation district and proposed uses allowed in this district.

**UNFINISHES BUSINESS**

RESOLUTION NO. 74-13

LOCAL LAW TENTATIVELY NO. 1 OF THE YEAR 2013, AUTHORIZING THE SALE OF A PORTION OF TAX PARCEL 67.01-1-12 OF TOWN OWNED PROPERTY ADOPTED

Resolution by: Fairbrother

Seconded by: Smith

WHEREAS there has been duly presented to the members of the Town Board on February 27, 2013, Local Law Tentatively No. 1 for the Year 2013, authorizing the sale of a portion of parcel 67.01-1-12, located south of County Route 64, adjacent to Harris Hill Road, and this Town Board making the final adoption of said Local Law subject to a Public Hearing to be held on March 13, 2013, and also subject to a permissive referendum, and

WHEREAS in accordance with said resolution and Notice of Public Hearing, the Town board did conduct a Public Hearing on March 13, 2013 at 4:30 p.m. and all persons appearing were given the opportunity to be heard, and the Clerk of the Town Board having filed posting of the Notice of Public Hearing and requirement for a permissive referendum, now

THEREFORE, BE IT RESOLVED the Local Law Tentatively No. 1 for the Year 2013, as hereafter set forth be and the same herby is finally adopted, to wit:

**TOWN OF BIG FLATS  
LOCAL LAW NO. 1 FOR THE YEAR 2013**

**A LOCAL LAW** authorizing the sale of a portion of Tax Parcel 67.01-1-12 of Town-owned property to Sharon Hockeborn and Ernest J. Stine.

Be it enacted by the Town Board of the Town of Big Flats as follows:

MINUTES OF THE TOWN BOARD MEETING OF MARCH 13, 2013

RESOLUTION NO. 74-13, LOCAL LAW TENTATIVELY NO. 1 OF THE YEAR 2013, AUTHORIZING THE SALE OF A PORTION OF TAX PARCEL 67.01-1-12 OF TOWN OWNED PROPERTY ADOPTED continued

**SECTION 1:** The Town Supervisor for the Town of Big Flats be and the same hereby is authorized and directed for and in consideration of the sum of \$5,000.00; plus advertising costs and transaction costs, to convey to Sharon Hockeborn and Ernest J. Stine, a portion of Tax Parcel 67.01-1-12 as identified in a Quit Claim Deed, the following tract of land:

**ALL THAT TRACT OR PARCEL OF LAND, situated in the Town of Big Flats, County of Chemung and State of New York, bounded and described as follows: BEGINNING at an iron pin in the northerly line of County Road 64, at the southwest corner of Lot 26, as shown on case map #1702, "Somerset, Sect. 2", and being at the southeast corner of lands owned by Donna J. Wren, liber 768, page 93, Thence N 53° 10' 09" E, along the northerly line of County Road 64, a distance of 100.00 feet to an iron pin, at the southeast of said Lot 26, Thence N 36° 49' 51" W, along the easterly line of Lot 26 and along the westerly line of lands owned by Kenneth S. Mattison, liber 741, page 122, a distance of 150.00 feet to an iron pin, at the northeast corner of said Lot 26, Thence N 53° 10' 09" E, along the northerly line of Lot 25, as shown on said case map #1702 and along the northerly line of said Mattison lands, liber 741, page 122, a distance of 50.00 feet to an iron pin, Thence N 36° 49' 51" W, along a line of lands owned by Kenneth S. Mattison, control #200210230064, a distance of 180.50 feet to an iron pin, at the southerly line of lands of the Pennsylvania Line LLC railroad, Thence S 61° 54' 27" W, along the southerly line of the railroad lands, a distance of 151.76 feet to a Decker survey pin, Thence S 36° 49' 51" E, along a line of lands owned now or formerly by Anderson and continuing along the westerly line of said Lot 26, and the easterly line of said Wren lands, a distance of 353.56 feet to the point of beginning, Comprising an area of 1.006 acres. Subject to any easement or rights-of-way of record which may effect the above described premises.**

**EXCEPTING AND RESERVING to the Grantor herein, its successors and assigns, a 20 foot wide easement for use by the Grantor to access its property adjacent to said parcel more fully described as follows:**

**20 FOOT WIDTH EASEMENT**

**ALL THAT TRACT OR PARCEL OF LAND, situated in the Town of Big Flats, County of Chemung and State of New York, bounded and described as follows: BEGINNING at an iron pin in the northerly line of County Road 64, at the southwest corner of Lot 26, as shown on case map #1702, "Somerset, Sect. 2", Thence N 36° 49' 51" W, along the easterly line of Lot 26 and along the westerly line of lands owned by Kenneth S. Mattison, liber 741, page 122, a distance of 150.00 feet to an iron pin, at the northeast corner of said Lot 26, Thence on a continuation of the last described course, N 36° 49' 51" W, and along the westerly line of lands owned by the Town of Big Flats, liber 699, page 316, "Parcel A", as distance of 188.19 feet to the southerly line of lands of the Pennsylvania Line LLC railroad, Thence S 61° 54' 27" W, along the southerly line of the railroad lands,**

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RESOLUTION NO. 74-13, LOCAL LAW TENTATIVELY NO. 1 OF THE YEAR 2013, AUTHORIZING THE SALE OF A PORTION OF TAX PARCEL 67.01-1-12 OF TOWN OWNED PROPERTY ADOPTED continued

a distance of 20.23 feet, Thence S 36° 49' 51" E, through lands owned by the Town of Big Flats, liber 691, page 187, parallel to the first described course herein and 20 feet distant westerly, a distance of 341.26 feet to the northerly line of said County Road 64, Thence N 53° 10' 09" E, along the northerly line of County Road 64, a distance of 20.00 feet to the point-of-beginning, Comprising an area of 0.156 acres.

ALSO EXCEPTING AND RESERVING to the Grantor herein, its successors and assigns, a thirty (30) foot wide drainage easement, the center line of which is located over an existing drainage ditch and more fully described as follows: BEGINNING in the easterly line of lands owned by the Town of Big Flats, liver 699, page 316, "Parcel A", N 36° 49' 51" W, along the said easterly line, a distance of 13.89 feet from an iron pin located at the southeast corner of said "Parcel A", 699, page 316, Thence N 36° 49' 51" W, along the easterly line of "Parcel A", liber 699, page 316, a distance of 73.63 feet to the northeasterly line of said 30 foot wide easement, Thence N 57° 27' 42" W, along the said northeasterly line of said easement, a distance of 70.16 feet to an angle point, Thence N 65° 56' 33" W, along the said easement, a distance of 38.95 feet to the southerly line of the Pennsylvania Line LLC railroad lands, Thence S 61° 54' 27" W, along the said southerly line of the railroad lands, a distance of 38.00 feet to the southwesterly line of the 30 foot wide easement, Thence S 65° 56' 33" E, along the southwesterly line of said easement, a distance of 60.04 feet to an angle point, Thence S 57° 27' 42" E, along the southwesterly line of said easement, a distance of 76.27 feet to an angle point, Thence S 61° 17' 37" E, along the southwesterly line of said easement, a distance of 60.71 feet to the point-of-beginning, Comprising an area of 0.106 acres.

All as more fully shown by map of survey of "LANDS OWNED BY THE TOWN OF BIG FLATS AND PROPOSED 30 FOOT WIDTH DRAINAGE EASEMENT", prepared by Kenneth R. Decker, Professional Land Surveyor, dated Feb. 13, 2003.

**SECTION 2:** The within statute shall be construed as an offer to convey to, and an option to purchase the subject premises by Sharon Hockeborn and Ernest J. Stine. Failure and refusal to furnish considered on or before June 30, 2013, shall terminate the within offer.

**SECTION 3:** This Local Law shall become effective, subject to a permissive referendum, forty-five (45) days after the date of its final adoption and on the date it is duly filed in the Office of the Secretary of State of the State of New York and in accordance with the provisions of the Municipal Home Rule Law of the State of New York.

FURTHER RESOLVED within twenty (20) days after such Local Law is adopted the Town Clerk shall cause a copy of the Local Law to be published in the official Town newspaper, together with notice that said Local Law is subject to a permissive referendum of the qualified electors of the Town of Big Flats by the filing of a petition within forty (45) days from the date

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RESOLUTION NO. 74-13, LOCAL LAW TENTATIVELY NO. 1 OF THE YEAR 2013, AUTHORIZING THE SALE OF A PORTION OF TAX PARCEL 67.01-1-12 OF TOWN OWNED PROPERTY ADOPTED continued

of the final adoption of the Local Law with the Town clerk demanding such referendum, which petition must be signed by qualified electors of the Town registered to vote therein at the last preceding election, in number equal to at least ten per centum (10%) of the total number cast for Governor at the last gubernatorial election in the Town, and

FURTHER RESOLVED within five (5) days after the expiration of the time for the filing of petitions for a permissive referendum of said Local Law, the Town Clerk shall cause one (1) certified copy thereof to be filed in the office of Chemung County Clerk, and one (1) certified copy in the office of the Secretary of State of the State of New York, and the said Secretary of State is to be requested to publish the Local Law in the supplement to the Session Laws and the Chemung County Clerk is to be requested to file the Local Law in a separate book kept by here for such records, and

FURTHER RESOLVED a certified copy of this resolution shall be forwarded to the Assessor for the Town of Big Flats and Director of Real Property Tax Service for Chemung County.

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

**NEW BUSINESS**

RESOLUTION NO. 75-13  
STC REGIONAL LEADERSHIP CONFERENCE ATTENDEES APPROVED

Resolution by: Smith  
Seconded by: Gillette

WHEREAS the Town Board has determined that the STC Regional Leadership Conference sponsored by the Southern Tier Central Regional Planning & Development Board is a beneficial conference for Town 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 authorizes the following staff to attend the 2013 Annual Southern Tier Central Regional Leadership Conference on April 3, 2013, and / or April 4, 2013 at Corning Community College:

Robert Byland, Linda Cross, Timothy Gilbert, Lisa Hess, John Hunter, Yvonna Kelly, Diane Lantz, Lance Muir, Terri O'Rourke, Merlyn Tiwari, William Torp, Don Williams, Tom Whispel, Charles Wood.

MINUTES OF THE TOWN BOARD MEETING OF MARCH 13, 2013

RESOLUTION NO. 75-13, STC REGIONAL LEADERSHIP CONFERENCE ATTENDEES APPROVED continued

FURTHER RESOLVED Town vehicles will be used for transportation to said conference; therefore, mileage will not be reimbursable, and

FURTHER RESOLVED the above-referenced training activity is acceptable to the Town Board and the members of the Zoning Board of Appeals and the Planning Board that attended or shall attend any of these training sessions shall receive credit for the purposes of complying with the Big Flats Town Code Sections 17.60.040 and 17.72.065.

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

RESOLUTION NO. 76-13  
PART-TIME RECREATION ATTENDANT AT THE BIG FLATS COMMUNITY CENTER  
APPOINTED

Resolution by: Gillette  
Seconded by: Saglibene

WHEREAS there exists a vacancy in the position of Recreation Attendant in the Youth Department, and

WHEREAS the Youth Coordinator conducted interviews of potential candidates, and

WHEREAS the Youth Coordinator recommends the appointment of Francis LaLomia to the vacant position of Recreation Attendant, 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 appoints Francis LaLomia as the Recreation Attendant, part-time for the Youth Department with a probationary period for not less than 8 weeks nor to exceed 26 weeks at the rate of \$9.00 per hour, and

FURTHER RESOLVED the Town Supervisor is authorized to complete the required Report of Personnel Change (RPC).

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

RESOLUTION NO. 77-13

MINUTES OF THE TOWN BOARD MEETING OF MARCH 13, 2013

LOCAL LAW TENTATIVELY NO. 2 OF THE YEAR 2013, AUTHORIZING THE SALE OF  
A PORTION OF PROPERTY BETWEEN TAX PARCELS 98.05-3-24 AND 98.05-3-25  
APPROVED

Resolution by: Saglibene  
Seconded by: Fairbrother

WHEREAS the Town is now the owner of a one-half acre parcel between Tax Parcels 98.05-3-24 and 98.05-3-25, located north of Hendy Creek Road, adjacent to Golden Glow Drive, which no longer serves any public purpose or provides any public benefit, and

WHEREAS the Town Board is desirous of conveying said property equally to the adjoining property owners and said owners are in agreement to accept said dedication, now

THEREFORE, BE IT RESOLVED there is hereby presented to each member of the Town Board, Local Law Tentatively No. 2 for the Year 2013, authorizing the sale of a one-half acre portion of property located between Tax Parcel 98.05-3-24 and 98.05-3-25.

**TOWN OF BIG FLATS  
LOCAL LAW TENTATIVELY NO. 2 FOR THE YEAR 2013**

**A LOCAL LAW** authorizing the sale of a portion of one-half acre portion of property located between Tax Parcel 98.05-3-24 and 98.05-3-25.

Be it enacted by the Town Board of the Town of Big Flats as follows:

**SECTION 1:** The Town Supervisor for the Town of Big Flats be and the same hereby is authorized and directed for and in consideration of the sum of \$500.00 administrative, advertising costs and transaction costs, to convey equally to the adjoining property owners in a Quit Claim Deed.

**SECTION 2:** The within statute shall be construed as an offer to convey to, and an option to purchase the subject the westerly one-quarter acre premise by Betty Dailey, 89 Hendy Creek Road, and the easterly one-quarter acre premise by Irene and Gordon Bouchard, 85 Hendy Creek Road. Failure and refusal to furnish the considered on or before, June 30, 2013, shall terminate the within offer.

**SECTION 3:** This Local Law shall become effective, subject to a permissive referendum, forty-five (45) days after the date of its final adoption and on the date it is duly filed in the Office of the Secretary of State of the State of New York and in accordance with the provisions of the Municipal Home Rule Law of the State of New York..

FURTHER RESOLVED before said Local Law is adopted by the Town Board, a Public Hearing shall be held at the Town Board Meeting on March 27, 2013, at 7:00 P.M. or such other date and time that may be adjourned, at Town of Big Flats Town Hall, 476 Maple Street, Big Flats, New

MINUTES OF THE TOWN BOARD MEETING OF MARCH 13, 2013

RESOLUTION NO. 77-13, LOCAL LAW TENTATIVELY NO. 2 OF THE YEAR 2013,  
AUTHORIZING THE SALE OF A PORTION OF PROPERTY BETWEEN TAX PARCELS  
98.05-3-24 AND 98.05-3-25 APPROVED continued

York 14814, and the Local Law is subject to a permissive referendum of the qualified electors of the Town of Big Flats by filing of a legal petition within forty-five (45) days after its final adoption, with the Clerk of the Town of Big Flats protesting such Local Law, and

FURTHER RESOLVED the Town Clerk shall cause a notice of said Public Hearing to be posted at the Town Hall and have said notice published in the official newspaper of the Town and shall cause such posting and publication to be completed at least five (5) days prior to the date heretofore set forth for the Public Hearing.

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

RESOLUTION NO. 78-13  
LOCAL LAW TENTATIVELY NO. 3 OF THE YEAR 2013, AUTHORIZING THE SALE OF  
A PORTION OF PROPERTY BETWEEN TAX PARCELS 66.01-3-78 AND 66.01-3-79  
APPROVED

Resolution by: Fairbrother  
Seconded by: Smith

WHEREAS the Town is now the owner of a 50' by 178' parcel between Tax Parcels 66.01-3-78 and 66.01-3-79, located north of Green Valley Road, adjacent to Olcott Road North, which no longer serves any public purpose or provides any public benefit, and

WHEREAS the Town Board is desirous of conveying said property equally to the adjoining property owners and said owners are in agreement to accept said dedication, now

THEREFORE, BE IT RESOLVED there is hereby presented to each member of the Town Board, Local Law Tentatively No. 3 for the Year 2013, authorizing the sale of approximately a 50' by 178' parcel of property located between Tax Parcel 66.01-3-78 and 66.01-3-79.

**TOWN OF BIG FLATS**  
**LOCAL LAW TENTATIVELY NO. 3 FOR THE YEAR 2013**

**A LOCAL LAW** authorizing the sale of a portion of one-half acre portion of property located between Tax Parcel 66.01-3-78 and 66.01-3-79.

Be it enacted by the Town Board of the Town of Big Flats as follows:

MINUTES OF THE TOWN BOARD MEETING OF MARCH 13, 2013

RESOLUTION NO. 78-13 LOCAL LAW TENTATIVELY NO. 3 OF THE YEAR 2013,  
AUTHORIZING THE SALE OF A PORTION OF PROPERTY BETWEEN TAX PARCELS  
66.01-3-78 AND 66.01-3-79 APPROVED continued

**SECTION 1:** The Town Supervisor for the Town of Big Flats be and the same hereby is authorized and directed for and in consideration of the sum of \$500.00 administrative, advertising costs and transaction costs, to convey equally to the adjoining property owners in a Quit Claim Deed.

**SECTION 2:** The within statue shall be construed as an offer to convey to, and an option to purchase the subject the westerly 25' by 89' parcel by John Mourey, 24 Green Valley Drive, and the easterly 25' by 89' parcel by Robert Drake, 28 Green Valley Drive. Failure and refusal to furnish the considered on or before, June 30, 2013, shall terminate the within offer.

**SECTION 3:** This Local Law shall become effective, subject to a permissive referendum, forty-five (45) days after the date of its final adoption and on the date it is duly filed in the Office of the Secretary of State of the State of New York and in accordance with the provisions of the Municipal Home Rule Law of the State of New York..

FURTHER RESOLVED before said Local Law is adopted by the Town Board, a Public Hearing shall be held at the Town Board Meeting on March 27, 2013, at 7:00 P.M. or such other date and time that may be adjourned, at Town of Big Flats Town Hall, 476 Maple Street, Big Flats, New York 14814, and the Local Law is subject to a permissive referendum of the qualified electors of the Town of Big Flats by filing of a legal petition within forty-five (45) days after its final adoption, with the Clerk of the Town of Big Flats protesting such Local Law, and

FURTHER RESOLVED the Town Clerk shall cause a notice of said Public Hearing to be posted at the Town Hall and have said notice published in the official newspaper of the Town and shall cause such posting and publication to be completed at least five (5) days prior to the date heretofore set forth for the Public Hearing.

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

Supervisor Dean made a motion, seconded by Councilperson Fairbrother, to table proposed resolution regarding Public Sector HR Consultants LLC to develop a controlled substance and alcohol testing policy. All in favor, motion carried.

RESOLUTION NO. 79-13

PUBLIC SECTOR HR CONSULTANTS LLC TO DEVELOP A WAGE AND SALARY  
PROGRAM AND JOB DESCRIPTIONS FOR THE TOWN OF BIG FLATS EMPLOYEES  
APPROVED

Resolution by: Smith  
Seconded by: Gillette

MINUTES OF THE TOWN BOARD MEETING OF MARCH 13, 2013

RESOLUTION NO. 79-13, PUBLIC SECTOR HR CONSULTANTS LLC TO DEVELOP A WAGE AND SALARY PROGRAM AND JOB DESCRIPTIONS FOR THE TOWN OF BIG FLATS EMPLOYEES APPROVED continued

WHEREAS the Town Board adopted the Town Employee Handbook on July 29, 1999 with various amendments throughout the past, and

WHEREAS the Town Board approved Resolution No. 168-12 authorizing Public Sector HR Consultants LLC to complete the Town Employee Handbook, and

WHEREAS during the course of the review of the new employee handbook, Public Sector HR Consultants LLC recommends the Town Board consider the development and implementation of a wage and salary administration program and development of job descriptions, 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 enter into an agreement with Public Sector HR Consultants LLC, for the purpose of developing and implementing a wage and salary administration program and development of job descriptions for the Town of Big Flats at a cost of Thirteen Thousand Dollars (\$13,000.00) plus travel expenses.

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

RESOLUTION NO. 80-13  
REPLACEMENT OF DAMAGED LIGHT POLE BY JOHN MILLS ELECTRIC, INC.  
APPROVED

Resolution by: Gillette  
Seconded by: Saglibene

WHEREAS a light pole outside of the Community Center was struck by a car, and

WHEREAS a quote has been received by John Mills Electric, Inc. to replace the damaged light pole, and

WHEREAS John Mills Electric, Inc. has provided a cost quote of \$8,468.37 for said replacement, and

WHEREAS the car driver's insurance will reimburse the Town for the cost to replace damaged light pole, and

WHEREAS, for environmental review purposes, purchasing is a Type II Action for the purposes of SEQRA and as such, no further action is necessary regarding the same, and

MINUTES OF THE TOWN BOARD MEETING OF MARCH 13, 2013

RESOLUTION NO. 80-13, replacement of damaged light pole by John Mills Electric, Inc.  
APPROVED continued

BE IT THEREFORE RESOLVED the Town Board authorizes John Mills Electric, Inc. to install replacement light pole at a cost not to exceed \$8,468.37.

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

RESOLUTION NO. 81-13

RATIFYING THE AUTHORIZING OF A WAIVER OF INSURANCE FOR "GOOD CAUSE SHOWN" FOR THE EAGLE CEREMONY FOR A SCOUT WHO BENEFITED THE TOWN OF BIG FLATS WITH LANDSCAPING OF PIONEER CEMETERY APPROVED

Resolution by: Saglibene  
Seconded by: Fairbrother

WHEREAS an application for waiver of the insurance for use of the Big Flats Community Center has been received from Tanya Harris, parent of Nick Harris who has received his Eagle Scout as a result of a project that was coordinated with the Commissioner of Public Works, and

WHEREAS Mrs. Harris has tried to obtain insurance; however, has determined it to be cost prohibited for the ceremony, and

WHEREAS Scout Harris provided a valuable asset to the Town of Big Flats by providing the funds and landscaping Pioneer Cemetery which is owned and maintained by the Town of Big Flats, and

WHEREAS the Town Supervisor and Director of Recreation determined that due to the efforts made by Mrs. Harris and the eagle scout project that her son accomplished for the Town of Big Flats, said waiver of insurance be granted, and

WHEREAS for environmental review purposes the Town Board finds this to be Type II administrative action pursuant to 6NYCRR 617.5(c)(20) and as such, no environmental review is required for a Type II action, now

BE IT THEREFORE RESOLVED the Town Board finds that Mrs. Harris has made an effort to obtain the appropriate documentation without success, and

FURTHER RESOLVED the Town Board determines that for the accomplishment that Scout Harris has made for the Town of Big Flats and the for good cause shown the Town Board ratifies the waiver granted, and

FURTHER RESOLVED the Town Board is grateful for the Eagle Scout project coordinated by Scout Harris and is truly thankful for his accomplishment.

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

MINUTES OF THE TOWN BOARD MEETING OF MARCH 13, 2013

RESOLUTION NO. 82-13  
TIMOTHY C. GILBERT TO ATTEND THE NYS FLOODPLAIN AND STORMWATER  
MANAGERS ASSOCIATION ANNUAL MEETING APPROVED

Resolution by: Fairbrother  
Seconded by: Smith

WHEREAS a request was signed by the Town Supervisor for Floodplain Administrator Timothy C. Gilbert, to attend the NYS Floodplain and Stormwater Managers Association Annual Meeting April 8 thru April 10, 2013, 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 Timothy C. Gilbert to attend the NYS Annual Floodplain Administrator Meeting from April 8-April 10, 2013 with all appropriate expenses to be allocated from the appropriate funds.

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

RESOLUTION NO. 83-13  
RECEIVING AND ACCEPTING THE MARCH 13, 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:

February 13, 2013

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

February 19, 2013

New York State Department of Labor – RE: Section 27-a Amendment. *Referred to: filed with Town Clerk.*

February 20, 2013

Barbara Hornick-Lockard – RE: Corning Chapter of the Embroiderers' Guild of America. *Referred to: Town Board and filed with Town Clerk.*

MINUTES OF THE TOWN BOARD MEETING OF MARCH 13, 2013

RESOLUTION NO. 83-13, RECEIVING AND ACCEPTING THE MARCH 13, 2013  
COMMUNICATIONS LOG APPROVED continued

February 21, 2013

Insurance Services Office, Inc. – RE: Community Rating System. *Referred to: Building Inspector/code Enforcement Officer, and filed with Town Clerk.*

February 22, 2013

Christopher Ferratella, Esq. – RE: Justice for the Town of Big Flats. *Referred to: filed with Town Clerk.*

February 25, 2013

New York State Office of Parks, Recreation and Historic Preservation – RE: Warren Eaton Motorless Flight Facility. *Referred to: filed with Town Clerk.*

March 1, 2013

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

LaBella Associates, P.C. – RE: Introduction of Firm. *Referred to: filed with Town Clerk.*

March 4, 2013

U.S. Department of Transportation – RE: Aeronautical Study 13-AEA-108-NR. *Referred to: filed with Town Clerk.*

New York State Department of Environmental Conservation – RE: Upper Larchmont Road Dam. *Referred to: Code Enforcement Officer, Commissioner of Public Works, filed with Town Clerk.*

Thomas Reilly, Esq. – RE: Justice for the Town of Big Flats. *Referred to: filed with Town Clerk.*

March 8, 2013

Big Flats Business Association – RE: March 6, 2013 Meeting Minutes. *Referred to: filed with Town Clerk*

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

Supervisor Dean made a motion, seconded by Councilperson Fairbrother, to enter into Executive Session, to receive consultation from the Attorney, and for a personnel matter an employee has requested a meeting with the Town Board at 4:57 p.m. All in favor, motion carried.

The commissioner of public works was asked to enter in to the Executive session.

Supervisor Dean reconvened the Town Board meeting at 6:42 p.m.

Councilperson Fairbrother made a motion, seconded by Councilperson Smith to adjourn the Town Board meeting at 6:43 p.m. All in favor, motion carried.

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

Linda J. Cross  
Town Clerk