

MINUTES OF THE TOWN BOARD MEETING OF MAY 11, 2016

PRESENT: Supervisor Edward Fairbrother
Council Andy Gillette
Bob Adams
Lee Giammichele
Mike Saglibene
Attorney Thomas Reilly
Clerk Linda Cross

Supervisor Fairbrother opened the Town Board meeting at 4:32 p.m., and requested those present to participate in the Pledge of Allegiance.

CONCERNS OF THE PEOPLE - None

REPORTS

Supervisor Fairbrother stated the following reports for April 2016 have been received and are on file in the office of the Town Clerk:

Town Clerk's Monthly Report, Supervisor's Fund Balance Monthly Report, Youth Department Monthly Report, Department of Public Works Monthly Report, Code and Planning Department Monthly Report, Community Center Monthly Report, Court's Monthly Report.

UNFINISHED BUSINESS

RESOLUTION NO. 146-16
SOIL SAMPLING AGREEMENT APPROVED

Resolution by: Gillette
Seconded by: Giammichele

WHEREAS the Town Supervisor and Town Board are looking at obtaining soil samples for future development at Community Park, and

WHEREAS such land to be tested is located at Community Park off from Winters Road, and

WHEREAS the soil will be tested for Metals, PCBs/ Pesticides, Semi volatile Organic Compounds, and Volatile Organic Compounds, and

WHEREAS quotes have been received as follows:

Soil Analysis Laboratory (ALS)	10 Samples	\$ 5,900.00
Life Science Laboratories, Inc.	10 Samples	\$ 7,630.00
Microbac Laboratories	10 Samples	\$10,592.50

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RESOLUTION NO. 146-16, SOIL SAMPLING AGREEMENT APPROVED
continued

WHEREAS Soil Analysis Laboratory has provided the lowest quote for the requested soil samples to be obtained, and

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5(c) (18) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED that the Town Board authorizes the Soil Analysis Laboratory (ALS) to perform the 10 soil samples, on the Community Park land for future development, for the sum not to exceed (Five Thousand, Nine hundred dollars) \$5,900.00.

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother
NAYS: None

NEW BUSINESS

RESOLUTION NO. 147-16
VOID CHECK, RECODE VOUCHER APPROVED

Resolution by: Giammichele
Seconded by: Adams

WHEREAS a memorandum was received from the Bookkeeper, dated, May 3, 2016, requesting authorization to void a check, and reissued to the correct vendor, and recode a voucher, 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# 15550 made payable to Southern Tier Network dated 04/29/16, amount \$17,068.31 and deleting voucher #4006874. This payment was made in error to the wrong vendor and should be made out to STC Regional Planning & Development, a new check will be reissued to the correct vendor, and

FURTHER RESOLVED authorize the recode of voucher #4006330, William Law Book Co. for the town clerk/tax collector tax glance 2016 annual software amount \$1,005, from A1410.0400 to A1680.0400.

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother
NAYS: None

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RESOLUTION NO. 148-16
ABSTRACT OF AUDITED VOUCHERS FOR MAY 11, 2016 APPROVED

Resolution by: Adams
Seconded by: Saglibene

RESOLVE that the Town of Big Flats approve the Abstract of Audited Vouchers for May 11, 2016, and order the bills paid, when in funds, for the following:

GENERAL FUND	\$ 38,661.53
HIGHWAY FUND	\$ 34,414.35
WATER DISTRICT #4	\$ 894.72
WATER DISTRICT #5	\$ 10,205.66
TRUST FUND	\$ 2,017.35

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother
NAYS: None

RESOLUTION NO. 149-16
SUMMER T.A.F.F.Y. EMPLOYEES FOR 2016 APPROVED

Resolution by: Saglibene
Seconded by: Gillette

WHEREAS the Big Flats Youth Services Department will be hosting the Summer TAFFY Program, and

WHEREAS the Program Coordinator conducted interviews and necessary background checks and recommends the Town Board appoint the employees listed below, 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 appoints the following Summer TAFFY employees at the following hourly rate effective June 1, 2016 – August 5, 2016:

Bifano, Matison	\$9.00
Blunt, Chad	\$9.10
Boyles, Kellen	\$9.00
Carpenter, Logan	\$9.10
Curtis, Clayton	\$9.00
Davis, Olivia	\$9.00
Doner, Chase	\$9.00
Drapikowski, Jason	\$9.00
Flesch, Connor	\$9.00
Fuller-Sincock, Danielle	\$9.15 (Park Leader)
Gagnon, Alexis	\$9.15 (Park Leader)
Jaynes, Brett	\$9.00
Jude, Kenan	\$9.15 (Park Leader)

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RESOLUTION NO. 149-16, SUMMER T.A.F.F.Y. EMPLOYEES FOR 2016 APPROVED
continued

Leland, Abby	\$9.15 (Park Leader)
Leland, Emily	\$9.00
Lovell, Sara	\$9.15 (Park Leader)
Marshall, Allyson	\$9.10
Marshall, Brendan	\$9.10
Ng'Oma, Chisela	\$9.00
Rathbun, Hannah	\$9.00
Rathbun, Liam	\$9.00
Rich, Elizabeth	\$9.15 (Park Leader)
Seeley, Grace	\$9.00
Seeley, Rhett	\$9.05 (Recreation Attendant)
Seymour, Melissa	\$9.10, and

FUTHER RESOLVED the Town Board appoints Micah Page as Park Rover at the rate of \$9.15 per hour and Henry Farr as Park Rover at the rate of \$9.10 per hour effective June 1, 2016 through August 12, 2016.

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother
NAYS: None

RESOLUTION NO. 150-16
AGREEMENT WITH FISCAL ADVISORS & MARKETING, INC FOR 2016 & 2017
APPROVED

Resolution by: Gillette
Seconded by: Giammichele

WHEREAS the Town of Big Flats Water Department has two outstanding BANs for Water District # 5 and old water district #3, and

WHEREAS these BANs will need to be convert into Bonds in the year of 2017, and

WHEREAS the Towns bonding agent has suggested that the firm of Fiscal Advisors & Marketing, Inc. be retained for this purpose, 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 authorizes the Town Supervisor to sign the necessary agreement with Fiscal Advisors & Marketing, Inc. and that the Town Supervisor has the authority to authorize up to \$5,000 in service from Fiscal Advisors for the Water Department, anything exceeding \$5,000 will need the approval of the Town Board for the sole purpose of services to move the BANs to a Bond.

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother
NAYS: None

MINUTES OF THE TOWN BOARD MEETING OF MAY 11, 2016

RESOLUTION NO. 151-16
NYS AND LOCAL EMPLOYEES RETIREMENT SYSTEM REPORTING STANDARD
WORK DAYS AMENDMENT

Resolution by: Giammichele
Seconded by: Adams

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

WHEREAS Employees' retirement System Examiner VI, Pension Integrity Bureau, indicated they needed the actual results totals, (ROA) Record of Activity calculations on the two elected officials listed, now

BE IT THEREFORE RESOLVED the Town of Big Flats Town Board hereby establishes the following as amended standard work days for elected 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:

Title	Name	Standard Work Day (Hrs/day)	Term Begins / Ends	Participates in Employer's Time Keeping System (Y/N)	Days/ Month (based on Record of Activities) (ROA)
Supervisor	Edward Fairbrother	20	01/01/2014-12/31/2017	N	26.81
Town Clerk	Linda Cross	20	01/01/2010-12/31/2017	N	21.72

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

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother
NAYS: None

MINUTES OF THE TOWN BOARD MEETING OF MAY 11, 2016

RESOLUTION NO. 152-16
 REPORTING THE 2016 STANDARD WORK DAY / EMPLOYEE'S RETIREMENT SYSTEM
 RECORDS APPROVED

Resolution by: Adams
 Seconded by: Saglibene

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 2015 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:

Title	Name	Standard Work Day (Hrs/day)	Term Begins / Ends	Participates in Employer's Time Keeping System (Y/N)	Days /Month (based on Record of Activities)
Supervisor	Edward Fairbrother	6.00	01/01/2014-12/31/2017	N	26.81
Town Clerk/ Tax Collector	Linda J. Cross	7.50	01/01/2014-12/31/2017	N	25.98
Board Member	Robert Adams	6.00	01/01/2016-12/31/2019	N	8.61
Board Member	Lee Giammichele	6.00	01/01/2014-12/31/2017	N	1.83
Board Member	Michael Saglibene	6.00	01/01/2016-12/31/2019	N	2.97
Board Member	Andrew Gillette	6.00	01/01/2014-12/31/2017	N	3.29
Town Justice	Paul Hart	6.00	01/01/2014-12/31/2017	N	8.57

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: Gillette, Giammichele, Adams, Saglibene, Fairbrother
 NAYS: None

MINUTES OF THE TOWN BOARD MEETING OF MAY 11, 2016

RESOLUTION NO .153-16

AUTHORIZING THE SALE OF 78 HAMMOND STREET, BIG FLATS, NEW YORK, TAX
PARCEL 66.04-2-19 FOR SEVENTEEN THOUSAND DOLLARS APPROVED

Resolution by: Saglibene
Seconded by: Gillette

WHEREAS the Town of Big Flats has a surplus tax parcel number 66.04-2-19 and desires to place this parcel back on the tax roll, and

WHEREAS David Moses realtor for Realty USA has an offer for tax parcel 66.04-2-19 for Seventeen Thousand Dollars, and

WHEREAS the market value for this tax parcel is within the offer for this tax parcel, and

WHEREAS for environmental purposes the administration of the Town personnel is a Type II action in accordance with SEQRA 6, NYCCR Part 617.5 (c) (20) and as such no further action is required regarding the same, now

THEREFORE, BE IT RESOLVED the Town Board authorizes the Town Supervisor to enter into an agreement for the sale of tax parcel 66.04-2-19, 78 Hammond Street, Big Flats, NY at a sale price of \$17,000 (Seventeen Thousand Dollars) and the Town Attorney to approve of all necessary documents and procedures to accomplish this sale.

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother
NAYS: None

RESOLUTION NO. 154-16

PART-TIME CUSTODIAN FOR LANDSCAPING, SEASONAL APPOINTMENT
DENIED

Resolution by: Gillette
Seconded by: Giammichele

WHEREAS the Department of Public Works have recommended the Town Board hire Kimberly Peterson for the Part-Time Town Custodian for Landscaping to replace Pat Schichtel's position, and

WHEREAS for environmental review purpose, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5 (c) (4) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the hiring of Kimberly Peterson 75 Kahler Road South, Elmira, New York, as the Part-Time Custodian for Landscaping for the Town of Big Flats Complex, and not to exceed twenty hours per week at the rate of \$12.00 per hour.

DENIED: AYES: Adams, Fairbrother
NAYES: Gillette, Giammichele, Saglibene

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RESOLUTION NO. 155-16
GAMES OF CHANCE LICENSE FOR THE BIG FLATS AMERICAN LEGION, POST 1612
AMENDED

Resolution by: Giammichele
Seconded by: Adams

WHEREAS the Big Flats American Legion submitted a GC-6 application to Amend their “Members in charge of Games”, William Collier removed, and Thomas Farr appointed, and

WHEREAS the Town Clerk duly submitted the application to the Chemung County Sheriff’s Department, Records Division for their investigation of Findings and Determination for Games of Chance License, and

WHEREAS for environmental review, ministerial acts 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 the Findings and Determination for Games of Chance License finds the designated members conducting games of chance is of good moral character, the Town Board approves the Application to Amend their Games of Chance License, from the Big Flats American Legion Post 1612 to perform a games of chance event as outlined in the application.

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother
NAYS: None

RESOLUTION NO. 156-16
COMMUNICATION LOG FOR MAY 11, 2016, APPROVED

Resolution by: Adams
Seconded by: Saglibene

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 4, 2016

Time Warner Cable – RE: May 4, 2016 Programming Notice Changes *Referred to: Town Board, and filed with Town Clerk.*

May 6, 2016

Empire Family of Services RE: Franchise fees to the extension of fiber optic cable, expenditure from funds set aside for fiber cable expansion in Big Flats on Eachers Hollow Rd. *Referred to: Town Board, Department of Public Works, Bookkeeping, and filed with Town Clerk.*

MINUTES OF THE TOWN BOARD MEETING OF MAY 11, 2016

RESOLUTION NO. 156-16, COMMUNICATION LOG FOR MAY 11, 2016, APPROVED
continued

May 6, 2016

Big Flats Business Association RE: Meeting minutes *Referred to: Town Board, and filed with Town Clerk.*

May 6, 2016

New York State Department of Labor Re: Right to Know Compliance Checklist *Referred to: Town Board, Department of Public Works, and filed with Town Clerk.*

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother
NAYS: None

Supervisor Fairbrother also comments on other General Item:

- Security for Court agreement with the Sheriff's office, will be terminated within 30 days. Supervisor Fairbrother talking with the judges and working on new security replacements.
- Financial Statement from the Auditor certified – hard copy or email available
- TAFFY Program's 60th year. Opening Day for registration, June 5th, Supervisor Fairbrother will meet with the Taffy Parents and family's regarding the Program, Parks, and Fees.
- I86 update – looking at major housing development through the IDA
- Water pump station – broke ground, need to put a sign up regarding to the project
- Shared services with Catlin and Millport on water billing – working on the break downs.
- LED update- working with Horizon, lighting in the parks and in the Community Center
- Training June 3rd mandatory for all employees – Town Hall, Town Court closed till 1:00 p.m. Community Center will be closed all day.
- Chickens and Bees – Code Enforcement officer drafted a proposal
- Open House at the Community Center, June 9th 5:00-7:00p.m.
- Solar Farms, will go through the Planning Board, then onto the Town Board for a Special Use Permit.
- Arnot Mall working closely with them
- Randy Bartlett Jr. hired for DPW, Motor Equipment Operator 1, replacing Jay Goodwin's position.
- The Sperr Park Committee recognizes the outstanding contributions and support during the development of Sperr Memorial Park Plaque. A picture of the award was presented to the Town Board to see, along with the Municipal Donations of Equipment
- BOAR – Appointed Mary Lee Fairbrother, unfortunately she will be out of Town, but we still have 3 people, including Jane King to Chair.
- PA system at Community Center – looking at a couple of options. Hoping to have done by June 9th for the Open House.

MINUTES OF THE TOWN BOARD MEETING OF MAY 11, 2016

Supervisor Fairbrother made a motion, seconded by Councilperson Gillette to enter into an executive session for legal advice from the Town Attorney regarding a tax certiorari at 5:40. All in favor, motion carried. Supervisor Fairbrother also asked the Town Clerk to enter in.

Supervisor Fairbrother reconvened the Town Board meeting at 5:58 pm

Councilperson Adams made a motion, seconded by Councilperson Giammichele to adjourn the Town Board meeting at 6:00 p.m. All in favor, motion carried.

Date approved: _____ Linda Cross
Town Clerk