

MINUTES OF THE TOWN BOARD MEETING OF WEDNESDAY, MAY 26, 2010

PRESENT: Supervisor Teresa Dean
 Council Edward Fairbrother
 Marcia Hudock
 David Manchester
 Mike Smith
 Attorney Thomas Bowes
 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.

CONCERNS OF THE PEOPLE

Linda Patrick, 358 Chambers Road asked the Town Board the following questions:

- For clarification of insurance requirements for Farmers Market Vendors?
- Is she covered with liability insurance of the town?
- Is a volunteer covered under any liability insurance?
- If any information regarding the Montour Market had been obtained?

Councilperson Fairbrother replied he would get back to Ms. Patrick with an answer by the end of this week regarding Montour's Market.

REPORTS

Councilperson Hudock reported that Christopher Friend invited the Town Board to participate in the Community Days Parade on June 12, 2010.

Councilperson Hudock reported she has been working on the Deferred Compensation that is up for bid this year.

Councilperson Fairbrother reported he spoke with Bob Adams regarding an independent committee for the Community Center.

Supervisor Dean explained that a poll was taken at the last Town Board meeting and, the Board agreed require and to enforce the certificate for all vendors for the Farmers Market. Supervisor Dean also indicated she would look into the answers regarding the liability insurance.

MINUTES

Councilperson Fairbrother made a motion, seconded by Councilperson Smith, to approve the minutes of April 28, 2010 as presented. All in favor, motion carried.

Councilperson Smith made a motion, seconded by Councilperson Hudock, to approve the meeting minutes of May 12, 2010 as presented. All in favor, motion carried.

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OLD BUSINESS

RESOLUTION NO. 152-10
ROVER/PARK LEADER APPOINTMENT

Resolution by: Hudock
Seconded by: Manchester

WHEREAS the Town Board adopted Resolution No. 148-10 appointing summer employees for the TAFFY program, and

WHEREAS the Youth Services Coordinator in a memo, dated May 14, 2010, request the Town Board amend the hire date for Casey Hutten, Rover/Park Leader, for the purpose of organizing and planning the upcoming summer programs, effective May 26, 2010 to June 14, 2010, and

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.05(c)(20) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board appoints Casey Hutten, Rover/Park Leader, effective May 26, 2010 rate of \$8.75 per hour not to exceed twenty hours per week until June 14, 2010 at which time he reverts to seasonal full time for the Summer TAFFY Program through August 13, 2010.

CARRIED: AYES: Smith, Fairbrother, Dean, Manchester, Hudock
NAYS: None

NEW BUSINESS

RESOLUTION NO. 153-10
ABSTRACT OF AUDITED VOUCHERS APPROVED

Resolution by: Manchester
Seconded by: Fairbrother

RESOLVE that the Town of Big Flats approve the Abstract of Audited Vouchers for May 2010, vouchers 9811-9913, and order the bills paid, when in funds, for the following:

GENERAL FUND	\$ 49,760.02
HIGHWAY FUND	\$ 86,390.55
WATER DISTRICT #1	\$ 3,376.64
WATER DISTRICT #2	\$ 3,900.99
WATER DISTRICT #3	\$ 1,805.48
WATER DISTRICT #4	\$ 447.66

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RESOLUTION NO.153-10, ABSTRACT OF AUDITED VOUCHERS, continued

TRUST & AGENCY	\$	431.29
CAPITAL PROJECT #8	\$	589.76
LIGHTING DISTRICT	\$	530.20

CARRIED: AYES: Smith, Fairbrother, Dean, Manchester, Hudock
NAYS: None

RESOLUTION NO. 154-10
PART-TIME BUILDING INSPECTOR APPROVED

Resolution by: Fairbrother
Seconded by: Smith

WHEREAS the Town Board duly recognizing the need for additional personnel to assist with the property maintenance, fire inspections and code enforcement in the office of the Building Inspector, and

WHEREAS former employee Dennis Ellsworth submitted a letter of interest, dated April 28, 2010, and is currently certified and qualified to immediately conduct the required building inspections and code enforcement for the Town of Big Flats, 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 Dennis Ellsworth, 397 County Route 64, Big Flats, for the position of Part Time Building Inspector, effective June 14, 2010, at the rate of \$15.00 per hour, not-to-exceed 20 hours per week, and

FURTHER RESOLVED that Tim Gilbert, Building Inspector, is required to oversee the performance of Mr. Ellsworth, 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 hiring.

CARRIED: AYES: Smith, Fairbrother, Dean, Manchester, Hudock
NAYS: None

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RESOLUTION NO. 155-10
MONDAY, DECEMBER 27, 2010 DESIGNATED AS THE OFFICIAL CHRISTMAS
DAY HOLIDAY FOR 2010 APPROVED

Resolution by: Smith
Seconded by: Hudock

WHEREAS in accordance with the Town Employee Handbook and the CSEA Agreement, the Town observes the day before Christmas Day and Christmas Day, and

WHEREAS for 2010 Christmas Day is a Saturday, and

WHEREAS the Town Employee Handbook identifies holidays falling on a Sunday will be observed the following Monday and those holidays falling on a Saturday will be observed the preceding Friday, and

WHEREAS the CSEA Agreement identifies a holiday that falls on a Saturday or Sunday will be observed on a Friday or Monday, 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 designates Monday, December 27, 2010 as the Christmas Day holiday for 2010.

CARRIED: AYES: Smith, Fairbrother, Dean, Manchester, Hudock
NAYS: None

Supervisor Dean asked if the Town Board wanted to add a Special Permit request from Camping World to the Agenda. Consensus agreed.

RESOLUTION NO. 156-10
PUBLIC HEARING SET FOR CAMPING WORLD SPECIAL USE PERMIT
APPROVED

Resolution by: Hudock
Seconded by: Manchester

WHEREAS the Planning Board has received an application from Camping World for temporary vehicle sales June 23, 2010-June 28, 2010 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

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RESOLUTION NO.156-10, PUBLIC HEARING SET FOR CAMPING WORLD SPECIAL USE PERMIT continued

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 June 9, 2010 at 4:32 p.m. to hear comments for a Special Use Permit for Camping World for an RV sale June 23, 2010-June 28, 2010.

CARRIED: AYES: Smith, Fairbrother, Dean, Manchester, Hudock
NAYS: None

CORRESPONDENCE

Programming changes/Time Warner Cable. A letter was received from Henry J. Pearl, Area V.P. of Operations, Time Warner Cable, dated May 7, 2010, regarding their programming changes.

Town Property Purchase/Georgetown Investing. A letter was received from Bert Distelburger, Georgetown Investing Com., offering to buy the Big Flats Post office property.

Minutes ECTC Policy Planning Committees/Elmira-Chemung Transportation Council. The minutes of March 13, 2010 were received from the Elmira-Chemung Transportation Council of the ECTC Policy and Planning Committee.

2010 Economic Development Grants/Laberge Group. A letter was received from Richard F. Laberge, President of Laberge Group, dated May 10, 2010, regarding 2010 Economic Development Grants.

Project Sunlight Presentation/State of N.Y. Office of the Attorney General. A letter was received from Dennis C. Mc Cabe, Assistant Attorney General, dated May 12, 2010, regarding Project Sunshine initiative.

Liquor License Renewal/Willow Creek Golf Club. A letter was received from Robert T. Adams, Willow Creek Golf Club, dated May 19, 2010, regarding the renewal of their Liquor License.

Councilperson Fairbrother made a motion, seconded by Councilperson Smith, to adjourn the Town Board meeting at 7:25 p.m. All in favor, motion carried.

Date approved: _____

Linda J. Cross
Town Clerk