

MINUTES OF THE TOWN BOARD MEETING OF OCTOBER 22, 2012

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

ABSENT: Council Andy Gillette

Supervisor Dean called the Water Board meeting to order at 7:01 p.m. and requested those present to participate in the Pledge of Allegiance.

NEW BUSINESS

RESOLUTION NO. 213-12
WATER DISTRICTS #1, #2, #3, AND #4 DELINQUENT REPORT
AND PROPERTY MAINTENANCE FOR INCLUSION ON THE TAX ROLL APPROVED

Resolution by: Fairbrother
Seconded by: Smith

WHEREAS the Town Board has received a list of all delinquent water customers for Water Districts #1, #2, #3, and #4, as well as all outstanding delinquent property maintenance customers dated October 22, 2012, and

WHEREAS said water customers have been notified that said delinquent bills must be paid by October 29, 2012, and

WHEREAS for environmental review, administration is a Type II action in accordance with SEQRA, 6NYCRR Part 617.5 (c) (20), now

BE IT THEREFORE RESOLVED the Town Board delegates authority, if necessary, to make changes to the proposed delinquent water customers list to the Senior Account Clerk for the Water Department and the Water Systems Supervisor, and

FURTHER RESOLVED the Town Board authorizes the delinquent water customers list as of October 22, 2012 for Water Districts #1, #2, #3, and #4 as well as all outstanding delinquent property maintenance customers be forwarded to the Chemung County Real Property Tax Services for inclusion on the 2013 tax bills.

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

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Allocation Formula for Water Districts based on the Total Assessed value within the districts –
Withdrew for further reviews.

RESOLUTION NO. 214-12
WATER DISTRICT CONSOLIDATION AGREEMENT APPROVED

Resolution by: Smith
Seconded by: Saglibene

WHEREAS there are four separate Water Districts, and

WHEREAS the water rates have not been evaluated for more than ten years, and

WHEREAS there may be benefits realized from district consolidation, and

WHEREAS rate structure evaluation is an element required for district consolidation, and

WHEREAS Hunt Engineering provided a proposal for engineering services for the consolidation of water districts, 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 Hunt Engineering to provide professional engineering services associated with the preparation of documentation to provide the Town Board with information to make a decision regarding district consolidation, and implementation if decision is to move forward with consolidation, for an hourly rate not to exceed a fee of \$20,500.00 plus disbursements.

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

Since there was no further business to come before the Water Board, Supervisor Dean closed the Water Board meeting at 7:03 p.m.

TOWN BOARD

Supervisor Dean called the Town Board meeting to order at 7:04 p.m.

CONCERNS OF THE PEOPLE – Randy Ziegenhagen, Chief of the Golden Glow Volunteer Fire Company recognized Supervisor Dean, Councilperson Fairbrother and Code Enforcement officers Tim Gilbert and Tom Whispel for their efforts regarding the tornado on July 26, 2012.

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Judith Kadlac 26 Landau Drive – asked all the Town Board members if they have been on the new Website to see all of the mistakes, and asked to have this taken care of. She also asked if other companies were asked to submit proposals regarding water. Judy suggested the Board look for other options for furniture for the Community Center.

Karen Estep 47 Owen Hollow Road inquired how the furniture was to be paid for at the Community Center.

MINUTES

Councilperson Fairbrother made a motion, seconded by Councilperson Smith to approve the minutes of September 26, 2012 as presented. All in favor, except Councilperson Gillette was absent, motion carried.

Councilperson Smith made a motion, seconded by Councilperson Saglibene to approve the minutes of October 1, 2012 as presented. All in favor, except Councilperson Gillette was absent, motion carried.

Councilperson Saglibene made a motion, seconded by Councilperson Fairbrother to approve the minutes of October 3, 2012 as presented. All in favor, except Councilperson Gillette was absent, motion carried.

Councilperson Fairbrother made a motion, seconded by Councilperson Smith to approve the minutes of October 10, 2012 as presented. All in favor, except Councilperson Gillette was absent, motion carried.

Councilperson Smith made a motion, seconded by Councilperson Saglibene to approve the minutes of October 17, 2012 as presented. All in favor, except Councilperson Gillette was absent, motion carried.

NEW BUSINESS

RESOLUTION NO. 215-12
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 October 2012, vouchers 4001393-4001480 and order the bills paid, when in funds, for the following:

GENERAL FUND	\$ 56,008.44
HIGHWAY FUND	\$ 100,739.22
SEWER DISTRICT	\$ 62.39
CAPITAL PROJECT #6	\$ 125.00
WATER DISTRICT #1	\$ 7,193.79
WATER DISTRICT #2	\$ 3,414.74
WATER DISTRICT #3	\$ 1,878.16
WATER DISTRICT #4	\$ 778.07

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RESOLUTION NO. 191-12, ABSTRACT OF AUDITED VOUCHERS APPROVED continued

LIGHTING DISTRICT	\$	567.13
TRUST & AGENCY	\$	490.31

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

RESOLUTION NO. 216-12
GENERAL FUND BUDGET TRANSFER APPROVED

Resolution by: Smith
Seconded by: Saglibene

WHEREAS a memorandum was received from the Bookkeeper, dated October 17, 2012 requesting authorization for a budget transfer due to the unbudgeted item for current and upcoming expenses, and

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

BE IT THEREFORE RESOLVED the Town Board authorizes the following 2012 General Fund budget transfers:

To:	A1940.0200 Land	\$ 755.00	
	A3310.0400 Traffic Control	\$ 500.00	
From:	A1990.0400 Contingency		\$1,255.00

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

RESOLUTION NO. 217-12
PURCHASE OF FURNITURE FOR THE COMMUNITY CENTER OFFICE – Tabled

Resolution by: Saglibene
Seconded by: Fairbrother

RESOLVED the Town Board needs to further discuss the furniture purchase.

CARRIED: AYES: Smith, Fairbrother, Saglibene,
NAYS: Dean
ABSENT: Gillette

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RESOLUTION NO. 218-12
OCTOBER 22, 2012 COMMUNICATIONS LOG APPROVED

Resolution by: Fairbrother
Seconded by: Smith

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:

October 5, 2012

Big Flats Business Association – RE: Meeting Minutes of October 3, 2012. *Referred to: filed with the Town Clerk.*

Western Finger Lakes ReLeaf – RE: The New Risk Tree Assessment Standard Workshop. *Referred to: filed with the Town Clerk.*

October 12, 2012

County of Chemung Legislature – RE: CR64 Widening & Improvements Project. Resolution declaring Lead Agency Status and Issuing Negative Declaration. *Referred to: filed with the Town Clerk.*

October 15, 2012

Time Warner Cable – RE: The Debates Are On! *Referred to: Town Board, filed with the Town Clerk.*

Time Warner Cable – RE: Internal Restructuring. *Referred to: Town Board, filed with the Town Clerk.*

Cornell Cooperative Extension of Chemung County – RE: Friends of Extension Recognition Dinner and Annual Meeting. *Referred to: Town Board, filed with the Town Clerk.*

October 18, 2012

Town of Big Flats Attorney for the Town – RE: Opinion – Conflict of Interest. *Referred to: Town Board, filed with the Town Clerk.*

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

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RESOLUTION NO. 219-12
MILTON CAT SPECIAL USE PERMIT PUBLIC HEARING APPROVED

Resolution by: Saglibene
Seconded by: Fairbrother

WHEREAS the Planning Board has received an application from Milton Cat for heavy equipment sales and repair, on tax parcel 66.02-2-31 located in the Business Neighborhood 2 (BN2) District, and

WHEREAS the use of heavy equipment sales and repair in the BN2 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 November 14, 2012, 4:30 p.m. to hear comments for a Special Use Permit for Milton Cat for heavy equipment sales and repair.

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

Councilperson Fairbrother asked the Board to come up with a solution to help residents with leaves this fall.

EXECUTIVE SESSION: Supervisor Dean made a motion at 7:18 p.m. seconded by Councilperson Fairbrother, to enter into Executive Session to obtain legal opinion from the Attorney and asked the commissioner of public works to enter in. All in favor except Councilperson Gillette was absent, motion carried.

Supervisor Dean reconvened the Town Board meeting at 7:46 p.m.

Councilperson Fairbrother made a motion, seconded by Councilperson Smith to adjourn the Town Board meeting at 7:47 p.m. All in favor except Councilperson Gillette was absent, motion carried.

Date approved: _____

Linda J. Cross
Town Clerk