

MINUTES OF THE TOWN BOARD MEETING OF SEPTEMBER 22, 2010

PRESENT: Supervisor Teresa Dean
 Council Edward Fairbrother
 Marcia Hudock
 David Manchester
 Mike Smith
 Attorney Thomas Bowes
 Town Clerk Linda Cross

WATER BOARD

Supervisor Dean called the Water Board meeting to order at 7:00 p.m. and requested those present to participate in the Pledge of Allegiance.

NEW BUSINESS

RESOLUTION NO.188-10

WATER DISTRICT NO.2 SPECIAL ASSESSMENT PUBLIC HEARING APPROVED

Resolution by: Fairbrother
Seconded by: Smith

WHEREAS Water District No.2 has incurred capital expenses for various capital improvements for the district in the past, and

WHEREAS Water District No. 2 issued certain obligations to finance said capital costs pursuant to the New York State Local Finance Law, the payment of which is to be paid by way of a special assessment on the properties deemed benefited by such capital improvements, and

WHEREAS the 2011 Special Assessment roll for Water District No.2 has been completed and filed with the Town Clerk on September 17, 2010, and

WHEREAS this action is hereby declared to be a Type II action for the purposes of SEQRA and as such no further environmental review is necessary at this time, and

WHEREAS pursuant to Town Law Section 239 it is necessary to duly publish and conduct a public hearing for the purposes of hearing all parties interested in said special assessment roll,

NOW THEREFORE BE IT RESOLVED that the Town Board hereby calls for the holding of public hearing in the matter of the 2011 Special Assessment Roll for Water District No.2 of the Town of Big Flats, to be held at the Town Hall, 476 Maple Street, in the Town of Big Flats on October 13, 2010, at 4:33 p.m. local time, and

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RESOLUTION NO.188-10, Water District #2, Special Assessment Public Hearing, continued

FURTHER RESOLVED that the Town Clerk publish the required notice of such public hearing in the official newspaper of the Town, specifying the time when and the location where such public hearing will then be held, and in general describing the proposed action to be undertaken.

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

RESOLUTION NO.189-10

WATER DISTRICT NO.3 SPECIAL ASSESSMENT PUBLIC HEARING APPROVED

Resolution by: Smith
Seconded by: Hudock

WHEREAS Water District No.3 has incurred capital expenses for various capital improvements for the district in the past; and

WHEREAS Water District No. 3 issued certain obligations to finance said capital costs pursuant to the New York State Local Finance Law, the payment of which is to be paid by way of a special assessment on the properties deemed benefited by such capital improvements; and

WHEREAS the 2011 Special Assessment roll for Water District No.3 has been completed and filed with the Town Clerk on September 17, 2010, and

WHEREAS this action is hereby declared to be a Type II action for the purposes of SEQRA and as such no further environmental review is necessary at this time, and

WHEREAS pursuant to Town Law Section 239 it is necessary to duly publish and conduct a public hearing for the purposes of hearing all parties interested in said special assessment roll,

NOW THEREFORE BE IT RESOLVED that the Town Board hereby calls for the holding of public hearing in the matter of the 2011 Special Assessment Roll for Water District No.3 of the Town of Big Flats, to be held at the Town Hall, 476 Maple Street, in the Town of Big Flats on October 13, 2010, at 4:35 p.m. local time, and

FURTHER RESOLVED that the Town Clerk publish the required notice of such public hearing in the official newspaper of the Town, specifying the time when and the location where such public hearing will then be held, and in general describing the proposed action to be undertaken.

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

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RESOLUTION NO.190-10

WATER DISTRICT NO.4 SPECIAL ASSESSMENT PUBLIC HEARING APPROVED

Resolution by: Hudock

Seconded by: Manchester

WHEREAS Water District No. 4 has incurred capital expenses for various capital improvements for the district in the past, and

WHEREAS Water District No. 4 issued certain obligations to finance said capital costs pursuant to the New York State Local Finance Law, the payment of which is to be paid by way of a special assessment on the properties deemed benefited by such capital improvements, and

WHEREAS the 2011 Special Assessment roll for Water District #4 has been completed and filed with the Town Clerk on September 17, 2010, and

WHEREAS this action is hereby declared to be a Type II action for the purposes of SEQRA and as such no further environmental review is necessary at this time, and

WHEREAS pursuant to Town Law Section 239 it is necessary to duly publish and conduct a public hearing for the purposes of hearing all parties interested in said special assessment roll,

NOW THEREFORE BE IT RESOLVED that the Town Board hereby calls for the holding of public hearing in the matter of the 2011 Special Assessment Roll for Water District #4 of the Town of Big Flats, to be held at the Town Hall, 476 Maple Street, in the Town of Big Flats on October 13, 2010, at 4:37 p.m. local time, and

FURTHER RESOLVED that the Town Clerk publish the required notice of such public hearing in the official newspaper of the Town, specifying the time when and the location where such public hearing will then be held, and in general describing the proposed action to be undertaken.

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

Councilperson Manchester made a motion, seconded by Councilperson Fairbrother, to adjourn the Water Board meeting at 7:02 p.m. All in favor, motion carried.

SEWER BOARD

Supervisor Dean called the Sewer Board meeting to order at 7:03 p.m.

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NEW BUSINESS

RESOLUTION NO 191-10
SEWER DISTRICT NO.1 SPECIAL ASSESSMENT PUBLIC HEARING APPROVED

Resolution by: Manchester
Seconded by: Fairbrother

WHEREAS Sewer District No.1 has incurred capital expenses for various capital improvements for the district in the past, and

WHEREAS Sewer District No.1 issued certain obligations to finance said capital costs pursuant to the New York State Local Finance Law, the payment of which is to be paid by way of a special assessment on the properties deemed benefited by such capital improvements, and

WHEREAS the 2011 Special Assessment roll for Sewer District No.1 has been completed and filed with the Town Clerk on September 17, 2010 and

WHEREAS this action is hereby declared to be a Type II action for the purposes of SEQRA and as such no further environmental review is necessary at this time, and

WHEREAS pursuant to Town Law Section 239 it is necessary to duly publish and conduct a public hearing for the purposes of hearing all parties interested in said special assessment roll,

NOW THEREFORE BE IT RESOLVED that the Town Board hereby calls for the holding of public hearing in the matter of the 2011 Special Assessment Roll for Sewer District No.1 of the Town of Big Flats, to be held at the Town Hall, 476 Maple Street, in the Town of Big Flats on October 13, 2010, at 4:39 p.m. local time, and

FURTHER RESOLVED that the Town Clerk publish the required notice of such public hearing in the official newspaper of the Town, specifying the time when and the location where such public hearing will then be held, and in general describing the proposed action to be undertaken.

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

Councilperson Fairbrother made a motion, seconded by Councilperson Smith, to adjourn the Sewer Board meeting at 7:04 p.m. All in favor motion carried.

MINUTES OF THE TOWN BOARD MEETING OF SEPTEMBER 22, 2010

TOWN BOARD

Supervisor Dean called the Town Board meeting to order at 7:05 p.m.

CONCERNS OF THE PEOPLE - None

MINUTES

Councilperson Fairbrother made a motion, seconded by Councilperson Smith to approve the minutes of August 25, 2010 as presented. All in favor. Motion carried.

Councilperson Smith made a motion, seconded by Councilperson Fairbrother to approve the minutes of September 7, 2010 as presented. All in favor. Motion carried.

Councilperson Fairbrother made a motion, seconded by Councilperson Manchester to approve the minutes of September 8, 2010 as presented. All in favor. Motion carried.

OLD BUSINESS

RESOLUTION NO.192-10

WINTER T.A.F.F.Y. APPOINTMENT AMENDMENT APPROVED

Resolution by: Hudock

Seconded by: Manchester

WHEREAS the Big Flats Youth Services Department will be hosting the Winter T.A.F.F.Y. Program and the Town Board adopted Resolution No. 187-10 appointing the employees, and

WHEREAS the Youth Services Coordinator, in a memo dated September 14, 2010, requests the Town Board amend the 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 amends the Winter T.A.F.F.Y. employees by removing Ryan Swartz, and appointing Victoria Davis of 2840 County Line Drive, Big Flats, NY 14814 as Winter T.A.F.F.Y. Staff at the rate of \$7.25 per hour, effective September 24, 2010.

CARRIED: AYES: Hudock, Manchester, Fairbrother, Smith, Dean

NAYS: None

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NEW BUSINESS

RESOLUTION NO.193-10
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 September 2010, vouchers 10238–10324, and order the bills paid, when in funds, for the following:

GENERAL FUND	\$ 98,539.35
HIGHWAY FUND	\$141,810.50
WATER DISTRICT #1	\$ 7,890.63
WATER DISTRICT #2	\$ 8,077.10
WATER DISTRICT #3	\$ 2,882.06
WATER DISTRICT #4	\$ 637.72
LIGHTING DISTRICT	\$ 528.30
TRUST & AGENCY	\$ 431.29

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

RESOLUTION NO.194-10
COURT CLERK RETIREMENT NOTICE APPROVED

Resolution by: Fairbrother
Seconded by: Smith

WHEREAS a letter was received from Helen P. Schwartz, Court Clerk, stating that after 34 ½ years of service, she has decided to retire effective December 26, 2010, 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 accepts the retirement notice from Helen P. Schwartz, Court Clerk, effective December 26, 2010.

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

MINUTES OF THE TOWN BOARD MEETING OF SEPTEMBER 22, 2010

RESOLUTION NO.195-10
PART-TIME COURT CLERK APPOINTMENT APPROVED

Resolution by: Smith
Seconded by: Hudock

WHEREAS with the acceptance of the notice of retirement from Helen Schwartz, it is necessary to hire an additional part-time court clerk, and

WHEREAS Honorable Charles Wood and Honorable Robert Gush have duly conducted interviews and in a memo, dated September 10, 2010 recommended the Town Board approve the appointment of Yvonna L. Kelly, 648 Palmer Road, Pine City, to the position of part-time court clerk, 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 approves the appointment of Yvonna L. Kelly, 648 Palmer Road, Pine City, to the position of part-time court clerk effective September 27, 2010 at the rate of \$9.33 per hour, 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: Hudock, Manchester, Fairbrother, Smith, Dean
NAYS: None

MINUTES OF THE TOWN BOARD MEETING OF SEPTEMBER 22, 2010

RESOLUTION NO.196-10
PART-TIME PROGRAM ASSISTANT APPOINTMENT APPROVED

Resolution by: Hudock
Seconded by: Manchester

WHEREAS the Youth Program Coordinator and Recreation Attendant have determined the necessity for additional part-time help in the Youth Department and recommend the appointment of Tammy Stein, 622 Owen Hollow Road, 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 Tammy Stein, 622 Owen Hollow Road, Big Flats, to the position of part-time Program Assistant effective September 23, 2010 at the rate of \$8.50 per hour, 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: Hudock, Manchester, Fairbrother, Smith
NAYS: None
ABSTAINED: Dean

RESOLUTION NO.197-10
NYS TOWN CLERKS ASSOCIATION, REGIONAL MEETING ATTENDANCE
APPROVED

Resolution by: Manchester
Seconded by: Fairbrother

WHEREAS the New York State Town Clerks Association, Inc. (NYSTCA) Regional Meeting is scheduled for October 4, 2010 in Varysburg, NY, and

WHEREAS Bill Ketzer from New York State Department of Agriculture and Markets will be speaking regarding dog licensing regulation changes that effect the daily operations of the office of the Town Clerk, and

WHEREAS a town vehicle will be used for travel, 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

MINUTES OF THE TOWN BOARD MEETING OF SEPTEMBER 22, 2010

RESOLUTION NO.197-10, NYS TOWN CLERKS ASSOCIATION, REGIONAL MEETING ATTENDANCE APPROVED, continued

BE IT THEREFORE RESOLVED the Town Board authorizes Linda Cross, Town Clerk, to attend the New York State Town Clerks Association, Regional Meeting, held October 4, 2010 at a cost not-to-exceed \$25.00 and all appropriate expenses to be paid from the appropriate budgets.

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

Supervisor Dean reported the Tentative Budget has been presented to the Town Board and is on file with the Town Clerk's Office.

RESOLUTION NO.198-10
SPECIAL MEETINGS APPROVED

Resolution by: Fairbrother
Seconded by: Manchester

RESOLVE the Town Board sets Special Town Board meetings for September 29, 2010, October 6, 2010 and October 20, 2010 at 4:00 p.m. for the purpose of reviewing the proposed 2011 Budget.

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

CORRESPONDENCE

Program Updates/Time Warner Cable. A letter was received from David Whalen, Vice President for Public and Governmental Affairs for Time Warner Cable, dated September 1, 2010, providing the Town Board with a list of expiring and added programs.

Accomplishments/Friends of the Chemung River Watershed. A letter was received from James Pfiffer, director of Friends of the Chemung River Watershed, dated September 14, 2010, regarding all the accomplishments and plans in the works for this fall through 2011.

Representatives from Aflac New York presented the Town Board with Insurance information.

EXECUTIVE SESSION: Councilperson Fairbrother made a motion, seconded by Councilperson Smith, to enter into Executive Session to discuss particular personnel matters. All in favor, motion carried.

The Town Board entered into Executive Session at 7:37 p.m.

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Supervisor Dean reconvened the Town Board meeting at 8:10 p.m.

Councilperson Manchester made a motion, seconded by Councilperson Hudock to adjourn the Town Board meeting at 8:11 p.m. All in favor, motion carried.

Date approved: _____

Linda J. Cross
Town Clerk