

MINUTES OF THE TOWN BOARD MEETING OF MAY 27, 2020

**TOWN OF BIG FLATS AGENDA
WEDNESDAY, MAY 27, 2020 AT 4:30 P.M.**

TOWN BOARD

CALL TO ORDER via Conference Call (Zoom)

MINUTES – April 22, 2020 and May 8, 2020

NEW BUSINESS

Abstract of Audited Vouchers

Timber Harvest /Yawger Rd. Tax Parcel 47.0-1-46, 47.00-1-47

Agreement / BOCES Summer 2020 Storm Water Improvement
Communication Log

Additional Resolution needed to be added:

NEW BUSINESS

Appointment/ Working Foreman for the Department of Public Works

All Town Board Meetings until the COVID-19 STATE OF EMERGENCY in NEW YORK IS OVER shall be held commencing at 4:30PM and be “BROADCAST” VIA ZOOM AND SHALL NOT BE HELD AT THE TOWN HALL

MINUTES OF THE TOWN BOARD MEETING OF MAY 27, 2020

CALL TO ORDER

Roll called by Town Clerk Linda Cross at 4:30 p.m.

SUPERVISOR: Edward Fairbrother
COUNCIL: Lee Giammichele
Michael Saglibene
Robert Adam
John Hunter
ATTORNEY: Thomas Reilly
DPW/Water Supervisor: Shawn Crater
TOWN CLERK: Linda Cross

MINUTES

Councilperson Hunter made a motion, seconded by Councilperson Giammichele to approve the Town Board minutes of April 22, 2020 as presented. All in favor, motion carried.

Councilperson Hunter made a motion, seconded by Councilperson Giammichele to approve the Town Board minutes of May 8, 2020 as presented. All in favor, motion carried.

NEW BUSINESS

RESOLUTION NO. 116-20
ABSTRACT OF AUDITED VOUCHERS OF MAY 27, 2020 APPROVED

Resolution by: Giammichele
Seconded by: Adams

RESOLVED that the Town of Big Flats approve the Abstract of Audited Vouchers for May 27, 2020, and orders the bills paid, when in funds, for the following:

GENERAL FUND	\$ 70,737.72
HIGHWAY FUND	\$193,110.24
WATER DISTRICT #4	\$ 92.08
WATER DISTRICT #5	\$ 23,059.73
TRUST & AGENCY	\$ 6,418.72

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

MINUTES OF THE TOWN BOARD MEETING OF MAY 27, 2020

RESOLUTION NO. 117-20

WAGNER HARDWOODS TIMBER HARVEST PERMIT, PROPERTIES OWNED BY RICHARD WELLS AND JOHN HUNTER, YAWGER RD, TAX PARCEL #47.00-1-46, 47.00-1-41 AND 47.00-1-47 APPROVED

Resolution by: Adams
Seconded by: Saglibene

WHEREAS a Timber Harvesting Application has been received from Wagner Hardwoods, to harvest a total of 250 acres to include 247'000 board feet of selective harvest, and

WHEREAS the Town Board finds this action to be an Unlisted Action under SEQRA and to have no significant effect on the environment based on the following facts:

1. The timber harvesting activity will occur between May 28, 2020 to November 1, 2020
2. All roads will be graded, and water bars installed at completion
3. The landing areas and all skid roads will be smoothed and free of debris, also the landing and skid roads will be seeded with a conservation mix after the harvest is complete; now

BE IT THEREFORE RESOLVED, the application for a timber harvesting permit submitted by Wagner Hardwoods, is approved as follows:

1. The logging operation, as proposed, will involve trucks using Yawger d., Sing Sing Rd., Kahler Rd. Trucks hauling logs will be required to display a valid safety inspection sticker on the windshield
2. The transport of logs may only occur between the hours of 9:00am to 7:00pm daily with the exception that on days public schools are in session the transport of logs may not occur between the hours of 1:30 and 4:30PM.
3. All roads shall be kept free of dust and debris created by the logging operation. The roadway will be inspected and cleaned by the logger on a daily basis as needed and must be cleaned when required by the Code Enforcement Officer as a result of any inspections.

Prior to Obtaining Permit

4. A performance guarantee in the form of a certified check for \$5000. must be posted with the Code Enforcement Office before any timber harvesting may begin. The performance guarantee will be returned upon the satisfactory completion of all logging operations, compliance with conditions of this resolution, and a final inspection of the timber harvesting site by the Code Enforcement Officer, and a representative from Chemung County Soil and Water Conservation Service, if deemed necessary.
5. An approved Driveway/Curb-Cut and/or Road Permit must be obtained from the Town of Big Flats Department of Public Works **prior** to any transferring of heavy equipment or harvest lumber/materials.

Prior to any Logging Operations

6. Proof of Vehicle, General Liability, and Workers Compensation Insurance with minimum liability coverage for personal injury or death of \$1,000,000 and for property damage of \$250,000 for logging operations, unless authorized by the Town Board and the Town Attorney. The Town of Big Flats must be listed as an additional insured and said proof must be filed with the Code Enforcement Office at least 48 hours before commencing any

MINUTES OF THE TOWN BOARD MEETING OF MAY 27, 2020

RESOLUTION NO. 117-20, WAGNER HARDWOODS TIMBER HARVEST PERMIT, PROPERTIES OWNED BY RICHARD WELLS AND JOHN HUNTER, YAWGER RD, TAX PARCEL #47.00-1-46, 47.00-1-41 AND 47.00-1-47 APPROVED continued

- logging operations. Said proof of insurance must be approved by the Town Attorney prior to commencement of work.
7. Notification, in the form of a letter and a copy of the map showing the approved logging area must be provided to all abutters.

During Harvesting Activity

1. The logger shall notify the Code Enforcement Officer within five days of completion to Coordinate onsite inspections.
2. The logging site shall be subject to periodic inspections by the Code Enforcement Officer, and Chemung County Soil & Water Conservation Service Representatives at any time during the course of the operation. These inspections will be done between 10:00am and 4:00pm.

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

RESOLUTION NO. 118-20
BOCES AGREEMENT SUMMER 2020 STORM WATER IMPROVEMENT
APPROVED

Resolution by: Saglibene
Seconded by: Hunter

WHEREAS there is a need to maintain the Stormwater Facilities in the Town of Big Flats, and

WHEREAS the Town had been performing this task for several years and decided it was in the Town's best interest to contract this out, and

WHEREAS 99-R of the General Municipal Law authorizes the governing board of a municipality to enter into agreements with any state agency, including any departments, board, bureau, commission, division, office, committee, or officers of the state, whether permanent or temporary, or a public benefit corporation or public authority or soil and water conservation district of any and unit of the state university to provide any service of government, and

WHEREAS the Town utilized the services of BOCES for Summers 2016 - 2019 resulting in a safe, well-maintained program requiring little supervision from the Town, and

WHEREAS it would be in the best interest of the Town and BOCES to enter into this agreement for 2020, and

MINUTES OF THE TOWN BOARD MEETING OF MAY 27, 2020

RESOLUTION NO. 118-20, BOCES AGREEMENT SUMMER 2020 STORM WATER IMPROVEMENT APPROVED continued

WHEREAS for environmental review, routine or continuing agency administration and management is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5(c)(26) and as such no further action is necessary regarding the same, now

THEREFORE, BE IT RESOLVED the Town Board.

1. authorizes an agreement with BOCES Conservation Program summer interns and supervisor
2. to provide Stormwater maintenance assistance for the summer of 2020
3. at a cost of no more than \$30,500

For the purpose of this resolution, the following terms shall be defined as follows:

The Town will

1. Provide location of the sites
2. Acquire all permission and rights-of-way from landowners from which their facilities are located
3. Allow use of Town equipment as needed
4. Pay the labor of the interns and supervisors not to exceed \$30,500 upon completion of the summer internship project
5. Provide fuel for BOCES equipment
6. Pay for any equipment repairs as a direct result of equipment use on Big Flats sites

BOCES will

7. Provide interns, supervision and BOCES heavy equipment to complete projects
 - a. plan is July 6, 2020 start
 - b. finish by August 14, 2020
8. Provide all insurances needed to insure BOCES personnel
9. Communicate with Town to set up summer worksites

CARRIED: AYES: Hunter, Giammichele, Adams, Saglibene, Fairbrother

NAYS: None

GST BOCES

Date

Town of Big Flats

Date

RESOLUTION NO. 119-20
COMMUNICATION LOG OF MAY 27, 2020 AS PRESENTED BY THE
TOWN CLERK APPROVED

Resolution by: Hunter

Seconded by: Giammichele

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:

MINUTES OF THE TOWN BOARD MEETING OF MAY 27, 2020

RESOLUTION NO. 119-20, COMMUNICATION LOG OF MAY 27, 2020 AS PRESENTED BY THE TOWN CLERK APPROVED continued

May 15, 2020

Charter Communication RE: Upcoming Changes Referred to: *Town Board and filed with Town Clerk.*

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

RESOLUTION NO. 120-20
DANIEL MCINERNEY TO THE TITLE OF WORKING FOREMAN AT A SALARY OF \$64,552 AND FULL BENEFITS APPOINTED

Resolution by: Giammichele

Seconded by: Adams

WHEREAS the Town has been without a working foreman for Highway in Department of Public Works, and

WHEREAS Daniel McInerney has had several years of experience with the Town of Big Flats Highway, and

WHEREAS Daniel McInerney has been interviewed by Town Board members and has been recommended by them for the position and the position was posted as per Civil Service Law, 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

THEREFORE, BE IT RESOLVED that the Town Board approves Daniel McInerney for the position of Working Foreman for the Department of Public Works at a salary of (Sixty-four thousand, five hundred fifty two dollars) \$64,552 per year, and with full benefits of an appointed position beginning June 1, 2020.

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

Supervisor Fairbrother also reported on:

- Not opening the playgrounds at this time. Little League can have no more than 10 people in a group, is what is being discussed at this time. Also, we are trying to get clarity about opening the Bathrooms at the Parks, there's many questions, like how much sanitizing we need to do, and how often. Still up in the air questions.
- The Community Center will remain closed until August 1st

MINUTES OF THE TOWN BOARD MEETING OF MAY 27, 2020

- Businesses opening Phase Two
- Summer Taffy program cancelled for this year
- PPE equipment for employees, we are in good shape.
- Future possible cuts
- Youth programs – working on Ideas for fall and after school activities
- Senior Bus trips cancelled thru December
- Town Board meetings will continue with Zoom for June 10th and 24th at 4:30 pm
- Drainage & Road programs – We have milled Steege Hill and is now ready for its final pave. Shawn is waiting for the schedule from Bothar, regarding which roads they are doing next, along with the dates. Shawn Crater added they were working on millings on Haldeman Hollow today.
- Audits – Our AUD is complete and will be filed next week. The audit for court is complete and is finishing up on the Town Audit.
- Grants – Community Foundation Grant has been completed and has been submitted. The Scanning Grant, we still need to have the large maps scanned, we have an extension
- Executive session to discuss personnel matters no decision

Supervisor Fairbrother made a motion, seconded by Councilperson Giammichele to enter into an executive session. at 5:16 p.m. to discuss personnel matters with no decisions at this time, and DPW/Water Supervisor: Shawn Crater and Town Clerk Linda were ask to exit the Zoom meeting at this time. All in favor, motion carried

Councilperson Adams made a motion, seconded by Councilperson Saglibene to adjourn the Town Board Conference call meeting at 5:46 p.m. All in favor, motion carried.

Date approved: _____ Linda Cross
Town Clerk