

Bovina Town Board
Public Hearing/Regular Monthly Meeting
December 8, 2009

RESOLUTIONS: 163 – 172

Board Members Present: Tina Molé, Supervisor; Charles McIntosh, Councilman; Evelyn Stewart, Mary Joan Robson, Councilwomen; Catherine Hewitt, Town Clerk; Robert Burgin, Highway Superintendent

Board Member Absent: Kenneth Brown, Councilman

Others Present: Gale Neale, Delaware County Soil & Water; Mark Rossley, Dominic Gullow, Mike Jastremski, Lori Tella, Delaware County Planning; Cyndee Pattison, Delaware County Times

The Public Hearing was opened by Supervisor Molé at 6PM and the Clerk read the Public Notice that was in the paper.

Molé introduced Mike Jastremski from the Delaware County Planning Department. He ran through the East/West Branch Delaware River Stream Corridor Management Plans. He explained that the Plan is community based; there is a Project Advisory Committee which meets quarterly. Councilwoman Stewart arrived at 6:05 PM.

The benefits include, opening the door to new funding sources, technical support, education and outreach available. Gale Neale, Delaware County Soil & Water, said that his department has a very good working relationship with DEC. They will help get the necessary permits in place. They also work with the contractors in the area to train on stream management. Jastremski said that the SEQRA Review has been done by the Board of Supervisors. The allocation of funds is still being worked out, there is some thought of a grant program. Supervisor Molé wanted it clarified that these resources are for private citizens as well as municipalities. Jastremski said that is true, the program is for everyone. Dominic Gullow said he is not a huge fan of the government programs. He has a stream on his property that floods his fields two or three times a year. Molé asked him if he was asking if there would be resources available to him for his flooding. He said he's not sure he would take advantage of them; he has a problem getting into bed with the DEC. Gale Neale said that the money comes from New York City, and that Delaware County Soil & Water wants to spend that money. Jastremski said that if the Town chooses to adopt the agreement, Soil & Water asks the Town to sign a MOU (Memorandum of Understanding). Councilman McIntosh asked about New York City as the source of funding this program: is so much money put up each year. Neale said that the five-year contract is for over five million dollars. McIntosh asked who makes up the committees. Neale said it can be anyone who wants to be, doesn't have to be a member of a board in the Town already. McIntosh asked about a project coming to the committee and who makes the decision on a project being done or not? Jastremski said that Soil and Water makes the initial decision. McIntosh has a concern with Towns being asked to sign on and it's still unsure how the operation will be done. Neale said that they have not worked out the prioritizing of the projects at this time. Molé wants to be assured that this will not put more regulations on the Town. Jastremski said that the Town can adopt the plan and put it on a shelf. McIntosh again said that he is concerned about the entire project not being in place and the Towns are expected to sign on to it. Neale said that they are not rushing the Towns to sign on, they want them to take the time they need.

Molé said that she would like to have a recommendation from the Planning Board. McIntosh asked how many committees' are left to be set up. Neale said that the committee's are in place, they will be added to as people are interested. McIntosh feels that if the Town is going to sign on to this program, they should be represented. He feels that it should be someone like Dominic Gullow or a farmer. Jastremski

said it could be a concerned citizen. Neale said that the committees need to work cooperatively with Soil & Water. Mark Rossley asked how much activity a Town has to have if they sign on. Neale said the more involved the Town is the better. Jastremski said they are asking each Town for one person and one alternate. It does behoove you to have representatives at the meetings. McIntosh said that's what scares him, the squeaky wheel gets the grease, and the others don't, and the programs quite often are unfair. Jastremski said that they are working on getting the resources spread around. Councilwoman Robson asked where the meetings are going to be held. Jastremski said Delhi and Walton, usually Delhi. Molé asked if this was being presented to every Town and Village. Jastremski said that they are. Neale said that if they see something that needs to be done, they will come before the Board and see if it's something that the Town wants done. Jastremski said it's very helpful to have community involvement. McIntosh said he is not against the project. Molé said she wants to wait for feedback from the Planning Board.

The Public Hearing was closed at 6:36 PM.

The Regular Town Board meeting was opened with the Pledge of Allegiance at 6:36 PM by Supervisor Molé.

Cyndee Pattison thanked the Board for putting the new battery she purchased in the clock.

2009-163 The minutes of the Public Hearing held on November 5, 2009 were accepted as amended. Moved by Stewart, seconded by Robson. All in favor, 4 ayes, 0 nays.

2009-164 The minutes of the Regular Board Meeting of November 10, 2009 were accepted as amended. Moved by McIntosh, seconded by Stewart. All in favor, 4 ayes, 0 nays.

2009-165 The GENERAL bills (179-197) were audited prior to the meeting and approval for payment was moved by Robson, seconded by Stewart. All in favor, 4 ayes, 0 nays.

2009-166 The GOOD NEIGHBOR bills (25-29) were audited prior to the meeting. Upon discussion with Highway Superintendent Burgin, there are a few things that need to be taken care of at the new highway building. It was decided to hold one Tom Howard Construction bill until all work is completed. It was moved by Robson, seconded by Stewart to pay the remainder of the Good Neighbor Bills. All in favor, 4 ayes, 0 nays. Councilman McIntosh said he doesn't see how Marigliano signed off on the building when there are things that need to be fixed. He feels that as soon as things are okay with Burgin, he will let Supervisor Molé know.

2009-167 The LIGHTING bills (12-12) were audited prior to the meeting and approval for payment was moved by McIntosh, seconded by Stewart. All in favor, 4 ayes, 0 nays.

2009-168 The WATER bills (51-54) were audited prior to the meeting and approval for payment was moved by Stewart, seconded by McIntosh. All in favor, 4 ayes, 0 nays.

2009-169 The SEPTIC bills (32-33) were audited prior to the meeting and approval for payment was moved by Robson, seconded by Stewart. All in favor, 4 ayes, 0 nays.

2009-170 The HIGHWAY bills (160-175) were audited prior to the meeting and approval for payment was moved by McIntosh, seconded by Robson. All in favor, 4 ayes, 0 nays.

OLD BUSINESS Supervisor Molé submitted a letter for review by the Board regarding people who leave garbage at the Transfer Station when it isn't open. Molé said it was Larry Karam, Tim McIntosh, Matt Dougherty and Bob Burgin who cleaned the garbage up. There were three different names that came out of that clean up and Molé will send them each a letter. Molé asked if the Board had any changes to the letter. Councilwoman Stewart thought it should be signed by the Board not just the Supervisor. Councilman McIntosh thinks the language is good in the letter. He liked the bold where it states that it is unlawful to leave garbage or litter on Town property. Molé will put the letter on Town letterhead. Stewart feels that the Board, and Burgin should be aware of who the offenders are in case they are called.

The Stream Corridor Management Plan was tabled until there is a recommendation from the Planning Board.

Supervisor Molé told the Board that a member of the Planning Board has resigned. Letter follows minutes. Molé read a response to that letter from Councilman Brown. Letter follows minutes. Molé said that the Town Board doesn't vote on a resignation, they just accept it. Councilman McIntosh said that a letter was written to the Town Board, as well as to the local newspaper, which he felt was very insulting to the Town Board as well as the Planning Board. He thought that the person resigning should have gotten her facts straight first.

2009-171 It was moved by Robson, seconded by Stewart to reappoint Carol Brannen to the Board of Assessment Review for the period of October 1, 2009 to September 30, 2014. All in favor, 5 ayes, 0 nays. McIntosh wanted to abstain, everyone said he could vote, he did not want to be accused of nepotism.

Supervisor Molé had a call from Don Farley and Christine Dunphy who have donated a soccer goal net to the Town. Marjorie Miller, Library Director, is willing to store it at the library. Molé talked to Miller about the Town giving \$1,000 for a backstop for the ball field a few years ago. The kids in Town raised \$1,000 to match the Town gift. Miller will spur this on.

Supervisor Molé told the Board that Congressman Scott Murphy will be at the Bovina Fire hall on December 16th at 9:30 AM to present a flag and thank the Fire Chief, Robert Burgin and the EMS Captain, Roberta Burgin for their service to the community.

2009-172 Supervisor Molé said that the Employee Handbook that the Board began revising last year, will need to have a Workplace Violence Policy, a Sexual Harassment Policy and a Drug Free Workplace Policy added to it. The carry over period for vacation was not addressed. The County can carry over 80 hours (2 weeks), and extraordinary circumstances will allow a carry over of more. Molé said that Comp. Time will be changed to December 1st. Councilman McIntosh said that if the men have quite a bit of Comp. time, using the date of October would put them over but changing the date to December would give them time to use the additional time to use it up. Molé said that 2 weeks of Comp. Time and 2 weeks of Vacation Time will be allowed to carry over. One vacation day is the first day of deer season which is now on a Saturday. Mole suggested that this become a floating holiday. McIntosh asked if the three new policies have to be included. Molé said yes they have to be in there. It was moved by Robson, seconded by Stewart to accept the changes.

HIGHWAY COMMITTEE

Councilwoman Stewart said that the committee met. It has been a pretty non-stormy month. Councilman McIntosh thought that it was a very nice ribbon cutting ceremony for the new highway garage. The highway crew is organizing the building. Supervisor Molé has asked Rachel Beaulieu to clean the offices and restroom at the garage. McIntosh asked if the Stormwater is supposed to be raised up as high as it is. Highway Superintendent Burgin said he asked the same question. McIntosh said it is above the elevation of the road. Stewart asked if the paper recycling container is going to be back at the highway garage site now that construction is over. Burgin said it's up to the Board. Molé said that it's convenient; Stewart said it is very convenient. It was decided that the paper recycle container will come back to the garage site when possible.

PARKS & RECREATION

No report.

HIGHWAY SUPERINTENDENT REPORT

Highway Superintendent Burgin reported that November was a good month. Fuel and sand usage was down which helps the budget. The crew is moving into the building, they've been putting up shelves and getting things put away. Burgin thanked the McIntosh family for the use of the creamery for the six months they were there. The final paperwork for the CHIPS money has been submitted and the funds should be here later this month. The paperwork has been finished on the Lee Hollow bridge project. Burgin has a meeting regarding that project. Councilman McIntosh thinks it's a great idea to hang tools up and paint around them. It makes it easy to see if something is missing.

With no further business, the meeting was adjourned at 7:16 PM.

Respectfully submitted,

Catherine Hewitt
Town Clerk