

Bovina Town Board
Regular Monthly Meeting
March 10, 2009

RESOLUTIONS: 2009 – 36 – 59

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

Others Present: Lynn Resch, Chris Ingvorsen, Mark Rossley, Shannon Shoemaker, Sibel Finn

Supervisor Molé opened the Public Hearing on Water Rate Increases at 5:35 PM.

Councilwoman Robson arrived at 5:36 PM.

The Legal Notice announcing the Public Hearing was read by the Town Clerk. Councilman McIntosh said that he had spoken to a person who is in the water district. Their feelings were that this is not a big problem, it's necessary and they need water. Supervisor Molé said that water rates have not been increased since 2004.

Lynn Resch said that she was hoping the problems with the water system would be solved before there was an increase in the rates. Molé said that the problems are ongoing and they are being worked on. The Town doesn't have the extra money for the repairs that are necessary. Resch said that she doesn't drink the water because it's "nasty". The water in Brooklyn, ironically, is better than the Town's water and she has water delivered. Molé said that the water district is heavily regulated by the Department of Health. Resch has researched trihalomethanes, and it is supposed to be about 80 in drinking water, and the Town's water is at 130. Molé said she has the DOH report in her office, she thinks the count was 103, not 130; she will check on it. She also said the problem is being worked on. Resch asked if it would be cheaper for the Town to put filters on homes. Councilwoman Robson pointed out that the water system repairs are not absorbed by the entire Town, they are paid for by the water district. Resch then asked if the system could be metered. Molé said she would look into it but thinks it would be a large expense. Councilman Brown said that drinking water is the least of what a household uses; laundry, bathing, and a household in general use a lot of water. Councilwoman Stewart asked if the Bovina Cemetery is on the water system. Molé said that it is. Stewart didn't realize that. Brown said that by putting the water cost on the tax bill, homeowners will see a large portion of that back if they itemize. Resch said she is not concerned with that, she wants the problems fixed with the system.

There were no further comments and the Public Hearing was closed at 5:42 PM.

Supervisor Molé opened the regular monthly meeting at 6:00 PM with the Pledge of Allegiance.

Molé said that the Historical Society had asked to speak to the Board about moving the Post Office to Russell's Store but she was going to move on with the meeting and come back to that if any members arrived.

2009-37 The minutes of the January 27, 2009 Workshop minutes were approved as amended. Moved by Robson, seconded by Brown. All in favor, 5 ayes, 0 nay's.

2009-38 The minutes of the January 27, 2009 Special Meeting were approved as amended. Moved by McIntosh, seconded by Robson. All in favor, 5 ayes, 0 nay's.

2009-39 The minutes of the February 10, 2009 Regular Monthly meeting were approved as amended. Moved by Robson, seconded by Stewart. All in favor, 5 ayes, 0 nay's.

2009-40 The minutes of the February 18, 2009 Workshop/Special Meeting were approved as amended. Moved by Brown, seconded by Robson. All in favor, 5 ayes, 0 nay's.

Supervisor Molé introduced Sibel Finn as the President of the Historical Society. Finn said that Shannon Shoemaker and Chris Ingvordsen are also members and could contribute if they wanted. Finn said that they again wanted to extend the offer of moving the Post Office to Russell's Store. Molé said that she feels that the Society needs to put the terms offered in writing to the Board. She wants to know things such as, if the store closes, who is responsible for the heat in the building, there is concern over the handicap accessibility for the Post office, and when this was last visited there were people who did not want to walk through the store to get to the Post Office. Shoemaker said that handicap accessibility is currently through the store and there is a makeshift entrance in the back of the building which the Society intends to remedy. Finn said that the Society feels that since the store has been open for five years, that it will continue to be. If it were to close, the Society would pursue someone else to run it, and Shoemaker said it could be turned into a museum. Finn also said that one of the advantages would be more PO Boxes available. She also said that the U.S. Post Office is struggling with money and not wanting to continue with rural post offices. Molé said the Town has struggled to keep the Post Office open. Finn asked what the alternative would be and Molé said it would be all rural delivery. Molé also said that the Post Office is contractual, they are given so much to keep it open but it doesn't cover the expenses. She said the government would just as soon shut the Post Office down. Finn asked why they don't and Molé said it was because the Town has fought it so hard. Lynn Resch asked if the Andes Post Office is a hub Post Office. Molé said that they realize the Post Office is not big enough, but moving it would cost the Town money and that is why she wants something in writing as to what would be expected if the move were made to the store. Councilman Brown said that he knows that the Post Office boxes are limited here but wanted to know if Finn and Shoemaker were saying that people can't get a box? Shoemaker was told that there is a waiting list. Finn said that the Society would finish the space off at no cost to the Town. Finn also wanted to put in the Boards head about the donation from a Bovina resident to the M-ARK project. Molé said that Peg Ellsworth from the M-ARK Project had come to speak to the Board about that at the February meeting. Resch said that it seems like the grant and Post Office would feed off each other. Councilman McIntosh said that he had spoken to a local person about the Post Office moving. The person said that their concern is that by moving the Post Office from a public building and then something happens to the store, it would give the government reason to shut the Post Office down. McIntosh said the Town needs to know what fixed costs would be involved for the Town. Molé thought that there was a code violation by using the back entrance and the shared driveway. Councilwoman Robson doesn't understand the concern of people not wanting to walk through the store, if anything; the store owner should be concerned. McIntosh said that there was one person who was adamant about not going through the store to go to the Post Office was a handicap person. Shoemaker said that the lobby hours would be increased on Saturdays. Finn asked if the Board has one person who is adamantly opposed to this idea, do they vote or listen to that one person. Molé said that the Board will vote on it when they get something in writing. Finn said that the Society will get a letter written and the Board can give feedback from that. The Board would like rent, heating (who's responsible if the store goes out of business) and handicap accessibility addressed. Shoemaker feels that parking is better at the store.

McIntosh asked that the Society makes sure there's some kind of easement or access to drives on both sides of the store building. Shoemaker said that it is decided that the drive is shared.

2009-41 The GENERAL bills (33-48) were audited prior to the meeting and approval for payment was moved by Brown, seconded by Robson. All in favor, 5 ayes, 0 nay's.

2009-42 The STREET LIGHT bill (2-2) was audited prior to the meeting and approval for payment was moved by McIntosh, seconded by Stewart. All in favor, 5 ayes, 0 nay's.

2009-43 The SEPTIC bill (6-6) was audited prior to the meeting and approval for payment was moved by Robson, seconded by Brown. All in favor, 5 ayes, 0 nay's.

2009-44 The WATER bills (8-11) were audited prior to the meeting and approval for payment was moved by Robson, seconded by McIntosh. All in favor, 5 ayes, 0 nay's.

2009-45 The GOOD NEIGHBOR bill (3-3) was audited prior to the meeting and approval for payment was moved by Robson, seconded by Brown. All in favor, 5 ayes, 0 nay's.

2009-46 The HIGHWAY bills (14-30) were audited prior to the meeting and approval for payment was moved by Robson, seconded by McIntosh. All in favor, 5 ayes, 0 nay's.

Councilman Brown asked when the Board would be getting a report on the status of the work being done by Assessor Joe Gifford. Brown would like to know where Gifford is in the process. Supervisor Molé said she will look into it and bring it back to the Board.

Supervisor Molé said that she has spoken with Barry Moore who will look into getting an electronic scale for the Post Office.

2009-47 Supervisor Molé said that she and the Bookkeeper Joe Hanley have met with the employees to discuss the problems with the Health Insurance. There was a part time employee who was given health insurance at the employee's cost. Molé would like the Board to make a resolution as an addition to the employee policy. Any Town employee making under \$2,000.00 is allowed to have health insurance with the total cost the responsibility of the employee. Moved by McIntosh, seconded by Stewart. All in favor, 5 ayes, 0 nay's.

2009-48 WHEREAS, Pursuant to Section 198(3)(d) of the Town Law of the State of New York the Town Board is vested with the authority to establish certain water rates; and

WHEREAS, consideration has been given by the Board as to what the appropriate rates should be for the varying types of properties that are within the Bovina Water District #1; now therefore be it

RESOLVED, that the Town Board of the Town of Bovina does hereby establish the following rate schedule effective July 1, 2009

- Single Family House: \$475/year
- Two Family House: \$718/year
- Library & Church: \$215/year
- House w/Barn: \$872/year
- Fire Department: \$1714/year
- Warehouse/Auction: \$238/year
- Cemetery: \$190/year
- Studio: \$238/year

And be it further

RESOLVED, that the Board reserves the right to, subject to public hearing, modify the above rates or include new categories of rates if a property's use changes; and be it further

RESOLVED, the water charge will be included annually on the property tax bill; and be it further

RESOLVED, that a copy of this resolution shall be filed with the Town Clerk of the Town of Bovina and a summary of the rates described above shall be published in the official newspaper of the Town of Bovina.

Moved by Brown, seconded by McIntosh. All in favor, 5 ayes, 0 nay's.

2009-59 Supervisor Molé had the contract for the Delaware County Planning Department. She said that she feels that the Del. Co. Planning Dept. provides a very important service to the Town. It was moved by Stewart, seconded by Robson to sign the contract. All in favor, 5 ayes, 0 nay's.

Supervisor Molé said that Lee Marigliano and Ed McCarthy from Catskill Mountain Architects, PC couldn't be at the meeting tonight. She would like to have a special meeting on Monday, March 16th at the Fire Hall to go over final design plans for the Highway Garage.

Supervisor Molé has met with USDA regarding the Grant/loan funding. She is filling out the pre-application forms for this and said that they will either deny us or make us an offer of the grant/loan. Councilwoman Stewart asked if there is any idea given as to how much they will give. Molé thinks it's 4%. She is still hoping for something from the stimulus package. Councilman McIntosh asked if there was any idea as to pay back time. Molé said that with the bonding it is 15 years. Councilman Brown asked about the 50/grant, 100/loan and then the stimulus comes through and how that would work. Molé said that she isn't sure. Other Towns borrow as they go and that is our goal, so as not to spend any more than necessary.

Supervisor Molé told the Board that the equalization dropped .09% of a point this year. In 2008 it was 24% and in 2009 it will be 23.91%.

Molé said that it has been suggested that the RFP for the lawns be done in March for bid in April. She has added the Community Hall and the Maynard Schoolhouse to the bid. As in the past, there are two separate requests, one for the Town lawns and the other for the septic field. The Town Clerk will put a legal notice in the newspaper with the bids to be in by 5:00 pm on April 13th; bids will be opened at 5:30 pm on April 14th and awarded at the Town Board meeting on April 14th.

Highway Superintendent Burgin will put a legal ad in the newspaper for the Highway materials bid. Bids must be in by 11:00 am, April 14th; they will be opened at 12:00 pm on April 14th and will be awarded at the Town Board meeting on April 14th.

Supervisor Molé has spoken with Peg Ellsworth from the M-ARK Project. They have not heard anything from the O'Connor Foundation on the grant application that was submitted. Ellsworth also has a second grant that sounds like a sure thing. Councilman McIntosh said that the winter M-ARK Project fundraiser held recently was well represented by Bovina. There seems to be an interest in this. McIntosh said he thinks that the septic field would be an ideal place for a baseball field. Molé will see if the city will allow a baseball field on the septic field. Molé pointed out that the septic field is only mowed two or three times a year. McIntosh feels that if the interest is there, people would make sure it's mowed.

HIGHWAY COMMITTEE

Councilman McIntosh said that the committee met with Highway Superintendent Burgin and it seems like another normal month, with nothing out of sight cost wise. Councilwoman Stewart agreed with McIntosh's statement.

PARKS & RECREATION

Councilman Brown and Councilwoman Robson said they had nothing to report.

Councilwoman Stewart asked about the part of the chimney that was left on the lawn at the Maynard Schoolhouse. Mark Rossley, Highway Department employee said that he has removed it.

HIGHWAY SUPERINTENDENT REPORT

Councilwoman Robson asked Highway Superintendent Burgin if the men leave early when he calls them in to work early. Burgin said it depends on the day, if they can, they leave. Supervisor Molé asked Burgin if he had had any problems with the loggers. Burgin said he has not and that he has posted four roads and will post more if needed. Burgin said the crew is filling pot holes as they can. He said that he was contacted recently and informed that a federal disaster was declared for the storm in December. They have declared eight days of material reimbursements. Burgin will be getting his bid package together and get the legal notice to the paper. Burgin said the crew has been sanding and salting roads as necessary, repairing trucks when needed, and have been cutting brush on a few roads.

Supervisor Molé said that Delaware County is offering a program for discounts on prescriptions. It's a good program for anyone who does not have prescription coverage. Information is available in the Town Clerk's Office.

Councilman McIntosh wanted to note that Supervisor Molé has been doing a lot with double meetings to make sure things keep moving on the garage project. She has also spent time writing grant applications for the Town.

With no further business, the meeting was adjourned at 7:05 PM

Respectfully submitted,

Catherine Hewitt
Town Clerk