

Bovina Town Board
Regular Monthly Meeting
May 12, 2009

RESOLUTIONS: 2009 – 73 – 90

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: Mark Rossley; Joe Gifford, Sole Assessor; Ann Bonné; Carol Spinelli; Tom Craverio; Patty Cullen; Lynn Resch

The meeting was opened at 6:00 pm by Supervisor Molé followed by the Pledge of Allegiance.

Community Concerns: Tom Craverio asked if the minutes were posted on the website. He cannot find them. Patty Cullen said it would be nice if the town meetings were posted on there as well. Supervisor Molé said that the minutes are posted after approval each month. That began in February of 2009 with the January minutes. She will have the special meetings posted in the future.

Supervisor Molé introduced Joe Gifford, Sole Assessor. Gifford gave the Board a time line from May of 2008 until current on the progress he has made on the inventory. He has done the vacant land first, and will begin the residential in June 2009. He has been working on some residential as they came before him. Gifford will be updating the files with aerial photos, as well as floor plans of each residence.

There will be a residential mailer going out in June to let property owners know that Gifford will be in the area. He is hoping to be able to hire a young person through the Youth Bureau to help him with the measuring of the buildings. He believes that there will be no cost to the Town for the Youth Bureau hire. Councilman Brown asked if Gifford had looked at the Architectural Program at SUNY Delhi for hiring a summer student to help him. Gifford said he has not but will after he checks with the Youth Bureau. Councilman McIntosh asked if the equalization rate that has been dropping could start to go back up with home sales. Gifford said that it could and that it did go up a small amount, from 24 to 24.42. McIntosh said that since we're at a low rate now, if the housing market turns and goes up, our equalization rate could go up. Gifford said that that could be the case. The State uses sales to come up with the equalization rate. The current equalization rate is based on sales up to two years old. McIntosh said that conceivably, we could raise over the next couple of years. Gifford said that is correct. Supervisor Molé said that would give Gifford time to get the inventory done. Carol Spinelli asked Gifford if in looking at the vacant land, is he looking for structures first. Gifford said he is doing a land breakdown as he works towards a possible reevaluation. Councilwoman Robson asked what the length of time would be before Gifford will be done. He thinks about two years. McIntosh asked how many parcels of land are in Bovina. Gifford said that there are 358 vacant parcels and there are 930 total. Gifford gave the previous assessors credit for good record keeping, particularly Enid Carter for the detail in her files. Molé asked Gifford to discuss the question of land value in the Town Right of Way. Councilwoman Stewart asked Gifford to explain the remapping if that is decided that is what will be done.

Stewart asked Ann Bonné, Planning Board member, if a property owner is going to subdivide, are they required to survey the property. Lynn Resch said that they are required to survey only the part being subdivided. McIntosh asked about the road being dedicated, not deeded, is the property owner being taxed on the ROW (road). Gifford said that is the case. McIntosh asked if the property owner decides to subdivide and gives the 30-foot ROW over, is that 30-foot taken off the property owner's taxes. Gifford said that is correct. Councilman Brown said that Gifford only deducts the ROW if there is a current survey. Gifford said yes. Stewart said there is still definitely a value on this land. Gifford said there is some value, but it could be very low. McIntosh said that once you dedicate, your survey map should show it taken off. Robson asked if the part that is being sold is surveyed. McIntosh said that every subdivided piece has to have been surveyed. McIntosh asked if the whole section of Road on a subdivision is removed from the owner's taxes. Gifford said that only that portion described in the survey or deed is removed. Resch, in regards to Lynnskill who subdivided 48-acres, said if their subdivision were to happen after the ROW Law goes into effect, they would have to dedicate all of the ROW on both sides of Scutt Mountain to County Highway 5. They would of had to have the entire 300-acres surveyed and deed over 30-foot ROW on the entire parcel. McIntosh said that you would dedicate the road portion on either side of the road, survey the 48-acres and survey out the ROW along the road.

McIntosh said that he has heard how cooperative Gifford has been working with the property owners in Bovina. Molé thanked Gifford for attending the meeting and giving the Board the update and information.

2009-73 The minutes of the Special Meeting of April 29, 2009 were accepted as amended. Moved by Brown, seconded by Stewart. All in favor, 5 ayes, 0 nay's.

2009-74 The minutes of the Highway Material Bid Opening of April 14, 2009 were accepted as presented. Moved by Robson, seconded by McIntosh. All in favor, 5 ayes, 0 nay's.

2009-75 The minutes of the Regular Monthly Meeting of April 14, 2009 were approved as amended. Moved by McIntosh, seconded by Brown. All in favor, 5 ayes, 0 nay's.

2009-76 The minutes of the Public Hearing of April 29, 2009 were accepted as amended. Moved by Stewart, seconded by Robson. All in favor, 5 ayes, 0 nay's.

2009-77 The minutes of the Special Meeting of April 29, 2009 were accepted as amended. Moved by Stewart, seconded by Brown. All in favor, 5 ayes, 0 nay's.

2009-78 The GENERAL bills (66-81) were audited prior to the meeting and approval for payment was moved by Brown, seconded by McIntosh. All in favor, 5 ayes, 0 nay's.

2009-79 The GOOD NEIGHBOR bills (3-4) were audited prior to the meeting and approval for payment was moved by Robson, seconded by Stewart. All in favor, 5 ayes, 0 nay's.

2009-80 The STREET LIGHT bill (5-5) was audited prior to the meeting and approval for payment was moved by Brown, seconded by McIntosh. All in favor, 5 ayes, 0 nay's.

2009-81 The WATER bills (17-21) were audited prior to the meeting and approval for payment was moved by Robson, seconded by Stewart. All in favor, 5 ayes, 0 nay's.

2009-82 The SEPTIC bills (11-13) were audited prior to the meeting and approval for payment was moved by Stewart, seconded by Brown. All in favor, 5 ayes, 0 nay's.

2009-83 The HIGHWAY bills (50-60) were audited prior to the meeting and approval for payment was moved by McIntosh, seconded by Robson. All in favor, 5 ayes, 0 nay's.

2009-84 It was moved by Stewart, seconded by Robson to accept the Planning Boards recommendation for the General Rules of Governing. All in favor, 5 ayes, 0 nay's.

2009-85 It was moved by McIntosh, seconded by Robson to issue the Negative Declaration on Local Law # 1 for 2009, Town of Bovina Professional Fees Reimbursement Law of 2009. All in favor, 5 ayes, 0 nay's.

2009-86 It was moved by Robson, seconded by Brown to adopt Local Law # 1 of 2009. All in favor, 5 ayes, 0 nay's.

2009-87 It was moved by Robson, seconded by Stewart to issue the Negative Declaration on Local Law # 2 of 2009, Town of Bovina Communication Tower and Facilities Law of 2009. All in favor, 5 ayes, 0 nay's.

2009-88 It was moved by Robson, seconded by Stewart to adopt Local Law # 2 of 2009. All in favor, 5 ayes, 0 nay's.

2009-89 It was moved by Brown, seconded by McIntosh to adopt Local Law # 3, Local Law Governing Road Dedications For Subdivisions.

Brown – Aye
McIntosh – Aye
Stewart – Nay
Robson – Nay
Molé – Aye

Supervisor Molé said that the cost to mow the cemeteries in Bovina in 2008 was \$2,250. Delaware Opportunities has a grant program which will have the cemetery mowing done for nothing. These are the five old cemeteries in Bovina.

The bids for the highway garage have gone out. There were sixteen given out and there were eleven contractors at the mandatory pre-bid meeting. The bids will be opened on May 26, 2009 at 1:30 pm at the Community Hall.

Supervisor Molé reminded the Board that Peg Ellsworth will be at the Community Hall on June 6th at 11:00 am for the informational meeting for the community on the grant program she is working on for Bovina.

Supervisor Molé said that there is one home that did not hook up to the septic system when it was installed. All homeowners within the septic district were required to hook up and since this one did not, she has spoken with CWC. They are looking into whether or not they can open the grant program back up to assist the new owners with this installation. She will keep the Board posted.

HIGHWAY COMMITTEE

Councilman McIntosh said that the committee met with Highway Superintendent Burgin and things are progressing along. He attended the mandatory pre-bid meeting and things are looking very good. There were a lot of reputable contractors there. McIntosh said that he doesn't think people realize how much administrative work the Highway Superintendent has to do. People see the highway crew out on the roads working but there's a lot of administrative work Burgin does. He has a bridge project in the works for this year, a road that he'll be sealing and the garage construction. He wants to give Burgin credit, commend him for all the administrative work that he does. Molé said that she wanted to add that it's impressive how computer literate Burgin is. It's nice to see everything so organized. McIntosh feels that in regards to the Public Hearing for the deeded, or dedicated ROW it is a good tool for Burgin as Highway Superintendent as well as the Planning Board. He thinks that maps of the highways in Bovina could be generated through the County and it would be a great tool for highway superintendents. Molé thinks it would be beneficial to the Planning Board also.

Councilwoman Robson said that she understands that there was a highway garage committee set up to put a plan for the new highway garage together. She asked if the committee is still functioning or together now that the Board is in the process of getting close to the bid opening. She is unsure why this committee is still needed. Molé asked Burgin if the committee has met since the final design was done and Burgin said it has not met. Stewart asked if the committee is done, is its purpose done. Molé said it won't be done until the project is done, from this point on, Burgin will work with the Board. McIntosh said that the committee couldn't make any decisions; the decisions had to come before the board. Molé said that from this point on, it will be the board. The bid opening on May 26, 2009, at 1:30 pm at the Community Hall will be posted on the website.

PARKS & RECREATION

Councilwoman Robson has been approached about using the grant money for improvements in the basement of the Community Hall. Rather than replacing the floor, the feeling was that the kitchen should be updated. Molé said that the money has been released and there is about \$25,000 left. Robson asked if the amount for the Community Hall work was at \$14,000 to \$15,000.

Councilwoman Stewart asked if anyone had heard anything from the Historical Society about Russell's Store. Molé said that she has not heard anything.

HIGHWAY SUPERINTENDENT REPORT

Highway Superintendent Burgin handed out the vehicle inventory report. He said that the white 88 has been rather expensive lately. Molé asked Burgin why there was dirt along Townsend Road. He said that they cleaned the ditches and the property owner wanted the dirt. Stewart asked if a lot of the roads have been worked. He said they've done about 35% of them. Burgin wanted to commend the men on putting in a lot of strenuous days lately. They have been cleaning out the shop when they can. Two loads of metal were taken to Otsego Crushers. Burgin said that Councilman McIntosh has offered the use of the creamery property, as well as office space and a break room in the building to the highway crew for the summer while the new garage is being constructed. He thinks it will work quite well, as McIntosh has said that the electric used will be the only expense for the use of the property. McIntosh said that they had talked about using the Community Hall for the office which would put the trucks on Main Street in the morning when the crew is being dispatched. He said that there is a shared right-of-way around the creamery building with Tom Hilson and he will speak with him. There is room for an office and break room, the electric meter is there and can be changed over to the Town so it will be billed to the Town and there is a place to hook the fuel tank up. Molé said that when Kane Construction rented the hall, it was at a significant cost to Kane. She feels that this is a very generous offer from McIntosh as there is wear and tear on his property. It will be a cost savings to the Town. Councilwoman Stewart said that the use of the Community Hall would raise the question of the bathrooms for the post office workers as well as the other employees who use the hall for office space. Molé said that by using the creamery space, it would keep highway business out of the Community Hall as there isn't good parking here. Burgin continued with his report saying that the CHIPS money has been received and he has ordered stone for the paving of about 1 mile on New Kingston Road. He reported that the crew has been working on putting away winter equipment, filling pot holes, worked lower and upper ends of Coulter Brook, upper end of East Bramley, Cross Road,

a section of Scutt Mountain, Crescent Valley, Weber Road, Mountain Brook, finished upper end of Coulter Brook, one end of Jim Lane Road, and Miller Ave. A load of cold patch was obtained from Oneonta and has been used patching blacktop where needed. Attended training in Margaretville on Post Flood Emergency Intervention. Attended training with Deputy Highway Superintendent John Robson on Basics of a Good Road.

2009-90 The motion to go into Executive Session was moved by Brown, seconded by Robson. All in favor, 5 ayes, 0 nay's. The Board came out of Executive Session at 7:20 pm.

With no further business, the meeting was adjourned at 7:20 pm.

Respectfully submitted,

Catherine Hewitt
Town Clerk