

**Bovina Town Board
Regular Monthly Meeting
November 10, 2009**

RESOLUTIONS: 155 – 162

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

Board Member Absent: Councilwoman, Evelyn Stewart

Others Present: Michael Jastremski, Delaware County Planning Department; Jessica Rall, Delaware County Soil and Water; Mark Rossley, Richard McIntosh, & Cyndee Pattison, Delaware County Times

Supervisor Molé opened the meeting at 6:00 PM followed by the Pledge of Allegiance.

Supervisor Molé introduced Mike Jastremski from the Delaware County Planning Department and Jessica Rall from Delaware County Soil and Water. Jastremski and Rall came to present the East/West Branch Delaware River Stream Corridor Management Plans to the Board. Jastremski explained what the benefits will be for Bovina and what steps the Town needs to go through to implement the plan. There will need to be a Memorandum of Understanding between the Town and Soil and Water. This memorandum can be terminated at any time with 30 days notice. A Public Hearing will need to be scheduled. Councilman McIntosh asked if the plan is only for the Town or is it for individual property owners as well. Jastremski said that the Plan puts an umbrella over the entire town. Supervisor Molé asked if there are any downsides. Jastremski said no, the more a Town is involved the better. Councilwoman Robson asked why the Town of Colchester has reservations about this plan. Jastremski said that Colchester has a deep distrust in DEP in general. McIntosh said that years ago when farmers had a problem with stream erosion they took care of it themselves, now with all the rules and regulations who would an individual go to. Jastremski said they would go to Soil and Water. Rall said that Soil and Water helps with permitting each situation. McIntosh feels it was important that our Highway Superintendent took the course from Soil and Water. Councilman Brown asked if the Planning Board has to respond to the Town Board to the positive on this plan before the Town Board can move forward with it. Jastremski said no, having a Public Hearing doesn't mean the plan will be adopted. Del. Co. Planning and Soil and Water were shooting for January to have the plan in place. Looks like February will be more reasonable. Rall said she is unsure if the grant process will be once a year or twice a year. Brown asked if the Town had anything that might need funding currently. Highway Superintendent Burgin said that he can think of a couple of projects. Molé asked who makes the decision on the grant applications. Jastremski said there will be a project committee who makes the decisions. McIntosh asked what the maximum amount a grant can be for. Rall said that a cap hasn't been set on it yet. McIntosh said that some projects can cost thousands of dollars. Brown said he had no problem setting the Public Hearing in December. Molé said the Public Hearing will be December 8, 2009 at 6:00 PM.

The Board went over the new flood plan maps with Mike Jastremski. Supervisor Molé has spoken with Nicole Franzese, Director of the Delaware County Planning Department. Franzese said that Bovina is one of the Town's that a study was not done on prior to the new maps. This means that there are approximate zones in Bovina and that no determination was made on the 100-year flood.

COMMUNITY CONCERNS:

Richard McIntosh commended Bob Burgin on his re-election as Highway Superintendent. McIntosh has worked with Burgin for 15 years as a Fire Commissioner and he feels that Burgin does a great job in everything he is involved in.

2009-155 The minutes of the October 5, 2009 meeting were accepted as amended. Moved by Brown, seconded by Robson. All in favor, 4 ayes, 0 nay's.

2009-156 The GENERAL bills (153-178) were audited prior to the meeting and approval for payment was moved by Robson, seconded by McIntosh. All in favor, 4 ayes, 0 nay's.

2009-157 The GOOD NEIGHBOR bills (21-24) were audited prior to the meeting and approval for payment was moved by Brown, seconded by Robson. All in favor, 4 ayes, 0 nay's.

2009-158 The LIGHTING DISTRICT bills (10-11) were audited prior to the meeting and approval for payment was moved by McIntosh, seconded by Brown. All in favor, 4 ayes, 0 nay's.

2009-159 The WATER DISTRICT bills (44-50) were audited prior to the meeting and approval for payment was moved by Robson, seconded by McIntosh. All in favor, 4 ayes, 0 nay's.

2009-160 The SEPTIC bills (28-33) were audited prior to the meeting and approval for payment was moved by Brown, seconded by Robson. All in favor, 4 ayes, 0 nay's.

2009-161 The HIGHWAY bills (140-159) were audited prior to the meeting and approval for payment was moved by McIntosh, seconded by Brown. All in favor, 4 ayes, 0 nay's.

Supervisor Molé gave a reminder of the ribbon cutting for the new Highway Garage on November 19, 2009 at 4:00 PM.

Re: the Transfer Station. In the eight years that Supervisor Molé has had the job she has not had any complaints about garbage being left at the transfer station when it is closed. She was unaware that this was a problem. She has spoken with Bloomville Disposal and they told her that it is a monthly occurrence. Molé would like a notice put on the Town website stating that it is illegal to leave your garbage at the transfer station when it is closed, that it is considered littering. Bloomville Disposal has suggested a form letter giving violators a one time warning. Molé would like a sign put at the Transfer Station informing the public of the fine for leaving garbage when the station is closed. Councilwoman Robson said she has spoken with a DEC officer who said that while this is annoying, it's better than the garbage being in a ditch somewhere. Robson agrees that a letter is a good idea. Councilman McIntosh agrees with Molé and Robson. He feels that ticketing people will alienate them. Robson said that she didn't realize that the minimum fine is \$1,500. The Board agreed to have a sign put at the transfer station and a letter when necessary. Mark Rossley said that he called the person responsible for leaving the garbage at the gate. They apologized were going to call Bloomville Disposal and would remove their garbage.

2009-162 Supervisor Molé asked the Board to formally make a decision on whether or not all residents in the water district pay regardless if their water is turned on or not. Councilman Brown said the downside to that is that they will leave it on in the months they're not here. Councilman McIntosh said the customers won't be charged to turn the water on and off when needed. Molé said that with only 58 hook-ups, each one counts and beginning in January the water bills will go on the property tax bills. Councilwoman Robson feels that the Town is providing water; therefore the residents in the water district should all help carry the burden. McIntosh agreed, saying the service is there. It was moved by Brown, seconded by McIntosh that all residents in the water district pay whether their water is turned on or not. With no charge to have the water turned on or off at any time. All in favor, 4 ayes, 0 nays.

HIGHWAY COMMITTEE

Councilman McIntosh said the committee did not meet. He congratulated Highway Superintendent Burgin on winning the election. McIntosh feels that Burgin is doing a fine job and will continue to do a fine job. The Highway crew and the Town Board should be proud of the new highway facility. He is very proud of the new facility and feels that it will help in the crew's efficiency in taking care of the roads. Supervisor Molé said that

of all the projects she's been involved in over the last eight years, she hasn't had as many compliments as she has had on this highway garage project. It was noted that this is an above ground project, the last two were stormwater and sewer, all under ground. McIntosh said he has been taking pictures of the garage project as it has progressed.

PARKS & RECREATION

Councilman Brown reported that the new stoves are wired in. He has contacted Lowe's three times to pick up the old stoves, he will try them again. Dick Brannen has agreed to install the sink and a new door in the post office. Councilwoman Robson said she is working on purchasing a game table for downstairs. Supervisor Molé said that she would like to offer the snow shoveling to the employees of the Post office again. It's very difficult to find anyone willing to do this.

HIGHWAY SUPERINTENDENT REPORT

Highway Superintendent Burgin said Tom Howard Construction is hoping to be finished with the garage by Friday, November 13th. Burgin is hoping there will be crusher run put down before the ribbon cutting. He said that the blacktop will not be put down until next year and will be a CHIPS project. Supervisor Molé asked where NYSE&G is in the relocation of the pole. Burgin said he hasn't heard from them lately, but has been told the pole will be done by the end of November. Molé asked if LaFever would be done before the ribbon cutting on the 17th and Burgin said that LaFever can't give a finish date. Councilman Brown asked about the concrete items at the highway garage that are left from the storm water project and whether or not they could be put up to the salt building. Burgin said they do belong to the Town and could be moved. Burgin said he has had a lot of compliments on the new facility. Molé has talked with McIntosh and Burgin regarding having Rachel Beaulieu clean the offices and the bathroom at the garage. McIntosh asked if the Board goes over everything with the architect when the project is finished. Burgin said the punch list will be with Tom Howard and the architect. McIntosh said that Burgin will get the Department of Labor to do a walk through before the Town takes over the building. He asked if Code Enforcement Officer, Dale Downin will give the Town a Certificate of Occupancy. Burgin said yes. McIntosh asked about the appliances (refrigerator & microwave) in the office and Molé wanted to emphasize that the office is being furnished with the remainder of the grant money. Burgin reported that all of the sand has been brought in for the winter. The crew has been getting the equipment ready for winter. They are still working on ditching as long as the weather permits. Burgin said that an employee has had hip surgery and will be out for two or three months. He would like to hire a part-time employee to pick up the plow route usually done by this employee as needed. Burgin has someone in mind and would like them to start as soon as possible but only when needed. The Board is in agreement on hiring someone part-time.

Councilman McIntosh gave Supervisor Molé and Bookkeeper Joe Hanley credit for putting a budget together with a 3% increase.

Councilwoman Robson read the letter that Senator Bonacic wrote to Maria Aron regarding her road issue. Robson said the letter was very eloquently done.

With no further business, the meeting was adjourned at 7:00PM

Respectfully submitted,

Catherine Hewitt