

**Bovina Town Board
Regular Monthly Meeting
October 5, 2009**

RESOLUTIONS: 142 – 151

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: Tom Howard, Tom Howard Construction; Patti Cullen, Ed Weber, Nancy Rose, Jack & Joan Nau, Cyndee Pattison, Delaware County Times Reporter; Mark Rossley, Maria Aron

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

2009-142 Tom Howard was introduced by Supervisor Molé. Howard was present to give an update on where things stand with the new highway garage. Howard said that the shell is up, the plumbing, water and sewer are finished. He's hoping to have the concrete work done this week. He said he would like to see heat added to the apron since it's on the North side of the building. It can be zoned separately and used only when needed for ice. Councilman Brown asked if the switch could be on a timer. Howard said it's a better idea not to put it on a timer because then it could run 24 hours needlessly. The cost to add the heated apron will be about \$1,100 and Howard will donate his time to put it in. Supervisor Molé said that there will be a credit from the gutter system which is not allowed inside the building. This credit means that there will be no additional cost to the Town to have the apron heated. Howard said that he is hoping to have the building completed in 5 to 6 weeks. Nancy Rose asked what is inside on the walls. Howard said that it will be ¾" plywood which will be painted. The remainder will be metal liner. Rose asked if the building will be insulated from the inside. Howard said most certainly. Ed Weber asked if the plywood is pressure treated. Howard said there is a splash on the bottom and the rest is painted. Weber asked if there was a projected cost of the use of the heated apron. Howard said it's hard to estimate what the cost would be. Councilmen Brown and McIntosh both said that they are in favor of the heated apron. McIntosh also said that he has spoken with a local businessman who has a garage with a heated apron and he thinks it's great. Howard said that there is a misconception that the apron is for snow removal; it is for ice. Councilwoman Robson said that originally the cost for the heated apron seemed very high. She added that we have to have faith in the highway personnel that they will use the apron as needed. Councilwoman Stewart said that she is still undecided about the apron. She has had calls from community members who feel that the heated apron is a luxury item. Taxes are high and she wished Howard had figures so she might have felt a little better about this. She has a hard time voting yes for unknown expenses. Molé said there is control with the manual switch. Stewart spoke with a homeowner who has a heated apron and he is sorry he put it in due to the additional expense. It was moved by Brown, seconded by McIntosh to have Howard put in the heated apron. All in favor, 5 ayes, 0 nay's. Ed Weber asked Howard if the concrete floor was going to be treated with a surface hardener. Howard said no, there will be increased PSI in the concrete.

2009-143 Bookkeeper, Joe Hanley spoke to the Board about the Tentative Budget. Hanley said that there is an increase of 3.54% over the 2009 tax levy.

It was moved by Robson, seconded by Stewart to move the Budget from Tentative to Preliminary. All in favor, 5 ayes, 0 nay's.

COMMUNITY CONCERNS

Patti Cullen asked for an update on the water situation in the hamlet. Supervisor Molé said she hasn't gotten another report from Department of Health. Cullen also wanted to clarify for the Board, that the Scenic By-way grant money is only for the communities already involved. It does not include Bovina and Delhi. Supervisor Molé said that she did not get the impression from the presentation by Peter Manning at the September meeting that the Town would have to come up with its own funding for this. She said that if the Town is going to go ahead with this, there would need to be volunteers to do the necessary work. Councilman McIntosh said

that his initial thought was that the Scenic By-way would be a good thing but he has heard that there can be downsides to it. Maria Aron asked what the downsides are. McIntosh said he isn't sure and he thinks it would be good to have community input. Nancy Rose said that she remembers Supervisor Molé asking what the cost to the Town would be and she was told there would be no cost to the Town. Molé suggested that this be revisited at a later date. McIntosh feels that it should be investigated further if someone from the community is willing to take it on. Joan Nau doesn't think this should be something the Town Board takes on; there should be a group from the community to head this up.

Ed Weber asked Highway Superintendent Burgin if the final draft of the highway garage plans were approved by the Labor Board. Burgin said no, not to his knowledge. Burgin said it will be inspected before the building is occupied. Weber asked about a recent disciplinary hearing. He wanted to know the how and why. Molé said that she has followed the Civil Service Law to a T for the disciplinary issue. Weber read a quote from the February 2009 minutes. "Burgin handed the Board a copy of a memo regarding complaints for the Highway Department. (memo is at the end of these minutes) Councilwoman Stewart asked Burgin if he gets a personnel complaint, how would he respond. Burgin said that employee issues will be separate from road complaints. Councilman McIntosh said that the Town Board represents the public, and the Board members need to listen to them. If it's a highway problem, Burgin needs to handle the problem, he's the boss, and he's the highway superintendent. He feels that this memo is a good thing to have in place, the buck stops at Burgin. Supervisor Molé asked Burgin, if someone calls him on a personnel complaint, something other than a road issue, would he bring it to the Board or handle it internally. Burgin said he would handle it internally and document it. Molé also asked Burgin what he would do if the personnel problem was something against policy. Burgin said he would take it to the committee first and then to the Board."

Maria Aron was back before the Board regarding the dust issue on East Bramley Mountain Road. She thanked Supervisor Molé for writing letters to the construction companies who she feels are creating the problem. She has contacted her lawyer and was told that the Town roads are the total responsibility of the Town. She does not feel that she is being heard. There was pavement in front of her home when she bought it and it has deteriorated. She is asking the Highway Department to please fix her road. Highway Superintendent Burgin said that he has applied salt for stabilization and calcium for dust control. The highway crew has worked the road in front of Aron's home twice this year. Councilwoman Stewart asked if an estimate could be done on the cost of bringing the road up to standard and having it oiled and stoned. Originally, there was tar and stone there and the Town stopped doing that for dust control about 16 years ago because of the cost. Supervisor Molé has spoken to the CEO's of the local construction companies as well as sending them letters asking that trucks take an alternate route. She said that the Town cannot lower a speed limit without state approval. Aron feels that that is incorrect, and the Town can set speed limits on their roads. Molé has spoken with the Town attorney as well as the County DPW. There is not one gravel or dirt road in Delaware County that has a lowered speed limit.

2009-144 The minutes of the September meeting were approved as written. Moved by Robson, seconded by Stewart. All in favor, 5 ayes, 0 nay's.

2009-145 The GENERAL bills (138-152) 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.

2009-146 The WATER bills (38-43) 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.

2009-147 The SEPTIC bills (26-27) were audited prior to the meeting and approval for payment was moved by McIntosh, seconded by Brown. All in favor, 5 ayes, 0 nay's.

2009-148 The GOOD NEIGHBOR bills (17-20) were audited prior to the meeting and approval for payment was moved by Robson, seconded by Brown. All in favor, 5 ayes, 0 nay's.

2009-149 The HIGHWAY bills (123-139) 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.

Supervisor Molé gave a donation check from the Delaware National Bank in Delhi to Fire Chief Bob Burgin in the amount of \$500.00. The donation was for the Fire Department.

Councilman McIntosh has spoken with the representative from the cell tower company, JNS. He has been told that due to the economy, the providers had gone to the metropolitan areas. Interest is picking up again for this area. He will be getting a Master Management Agreement for the Town to look over. JNS will review the information they received from Bovina initially. McIntosh invited the JNS representative to come and speak to the Board. He will continue to keep in touch with JNS as there is renewed interest in the rural areas. Nancy Rose said that she has spoken with Verizon, she was told that they put their equipment on other towers. She told them that Bovina would welcome them. She applauds McIntosh's efforts in this. McIntosh feels that it is important for the community to get tower(s) on municipal property to generate revenue for the Town. It could help pay for the highway garage.

HIGHWAY COMMITTEE

Councilwoman Stewart said that the committee met on October 5th and that things seem to be pretty routine. Councilman McIntosh said that it was nice to have Tom Howard tell the Board that the Highway Building will be ready to move into in five or six weeks. Supervisor Molé said that the ribbon cutting could hopefully be held in mid November. Highway Superintendent Burgin is working with Deb Fleming on the sign for the building. Molé would like to start looking at catalogs for new office equipment for the highway garage.

PARKS & RECREATION COMMITTEE

Councilman Brown gave the Clerk a check for \$75.00 from Mark Howard for the use of the Community Hall for his parent's anniversary party. Brown said that the sink and appliances have been delivered. The old stoves were hard wired in and Brown has contacted someone who will remove them. The new door for the Post Office will be installed in November. Brown has replaced two of the light bulbs in the main room of the Community Hall. One is still not working, he will look into that. Councilwoman Robson said that she spoke with the Health Department regarding a 3-bay versus a 2-bay sink. She was told that a Town doesn't need a permit for that so we're okay with the 2-bay. She has looked into a game (ping pong) table. The cost to ship was large so when they are in stores over the holidays, a table will be purchased at that time to avoid shipping costs.

Supervisor Molé said that she has transferred the grant money from the Maynard Schoolhouse to the Highway Garage capitol fund.

Councilwoman Stewart has been approached about using the Community Hall as a drop off for items for Shana McIntosh. That is already in place.

HIGHWAY SUPERINTENDENT REPORT

Councilman Brown asked Highway Superintendent Burgin what the problem is with the Mack dump truck. Burgin said that seven out of nine studs on the rear wheel broke. The parts are on order and should be here soon. Councilwoman Robson asked if the Lee Hollow bridge is finished. Burgin said the side rails have been installed and he is waiting for the County Engineer's final approval. As soon as that is done, he will submit the paperwork to FEMA. Councilwoman Stewart asked Burgin if he had put calcium on any other road or only in front of Aron's home. Burgin said that Aron's was the only one. Robson said that she doesn't seem to have a dust problem like Aron says she has. Councilman McIntosh said that the ditches haven't been cleaned in a few years and now Burgin is getting that done. It leaves silt on the road which can't all be cleaned up. Burgin said he swept in front of Aron's twice and scraped the road with the backhoe. Supervisor Molé said

that when the ditches are cleaned, it makes the roadway dusty. Burgin said that Kortright and Middletown have been hauling for Bovina. Stewart asked Burgin about the gate by the Transfer Station not being locked. Burgin said that it is normally locked and there is still some product there. Robson asked if there had been any further vandalism. Burgin said that there has not been anything further. McIntosh asked if the loader is left at the salt shed. Burgin said that it has not been left there since the vandalism. Burgin said that they have been hauling sand, working some roads for the second time this year, finishing up the mowing on the roadsides, repairing equipment as needed and hauling product for the highway garage.

2009-150 It was moved by Brown, seconded by Robson to go into Executive Session at 8:06 PM for a personnel issue.

2009-151 It was moved by Stewart, seconded by Robson to go out of Executive Session at 8:57 PM.

With no further business, the meeting was adjourned at 8:57 PM.

Respectfully submitted,

Catherine Hewitt
Town Clerk