

Bovina Town Board  
Regular Monthly Meeting  
September 8, 2009

**RESOLUTIONS: 130 – 141**

**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.

Supervisor Molé opened the *Trash and Refuse Collection, Hauling and Disposal Services Bid Opening* meeting at 5:30 PM.

There was one bid received from Bloomville Disposal in the amount of \$20,872.00. A fuel surcharge will be added if fuel rises above \$3.10 per gallon.

The bid opening was adjourned at 5:32 PM.

**Others Present:** Mark Rossley, Tom Craverio, Nancy Rose, Jack and Joan Nau, Peter Manning, Maria Aron, Patty Cullen, Ron Hoffman, Joe DeSalvo.

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

Peter Manning was introduced by Supervisor Molé. Manning is the Regional Planner with The Catskill Center for Conservation and Development. He informed the Board about the Scenic Byways Program and what it would mean for the area. He said that it is up to the communities involved to approve the scenic byways. Molé asked what it is that Manning is looking for from the Town of Bovina. Manning said that Bovina would need a regular member as well as an alternate member to join the group, to support getting public awareness by hosting at least one community meeting and matching resources which would include supporting grant applications. Molé asked what the cost to the Town would be. Manning said it would be more effort and involvement than money. Manning read a resolution that the Board could approve. Councilman McIntosh feels that the community meeting should be held before the Board signs a resolution. He thinks it would be better to let the community make the decision. Manning suggested having someone attend the next meeting at the Catskill Center on September 24<sup>th</sup> at 6 PM.

Maria Aron came before the Board to request that something be done with East Bramley Mountain Road. She feels that there is a lot of heavy truck traffic and the dust problem has gotten out of hand. She questioned how much money is spent yearly to maintain East Bramley Mountain as opposed to the same amount of asphalt road. She asked for consideration in putting asphalt in front of her house. Councilman McIntosh said that years ago there was an item in the budget for dust control. It got very expensive because of the freezing and thawing which breaks up the asphalt. He feels that the increase in the truck traffic on East Bramley Mountain is for economic reasons. He feels that the Board needs to figure out a way to help with this problem. Highway Superintendent Burgin said that it has been 10 or 12 years since the Highway Department has had a dust control program. Joe DeSalvo asked if the Town could ask the operators of the heavy trucks to go slower on the dirt roads. Molé said she will talk with the local companies that are using this route. She said that the Board will try to come up with a solution. Nancy Rose asked if oil and stone could be put in front of houses. McIntosh said that the Town stopped that because it doesn't hold up and it's very expensive. Rose asked if the Town can regulate weight on their own roads. Molé said that she believes that you can't post a road year round, only seasonally. She will check into that. McIntosh said that the construction companies pay road taxes to use the roads in New York State and that is where the CHIPS money comes from. The Board will see what can be done for this problem.

Tom Craverio thought that Peter Manning's presentation sounds like a good thing. He also said that he had attended Bovina Farm Day and had a great day there. Craverio has saved the questionnaire from the Assessor. He said that the process relies heavily on community participation and wondered if there has been anything on how the response from the questionnaire was. Molé said that she hasn't heard but will check with the assessor.

Councilwoman Robson had a call from one of her neighbors about noise asking if there is a noise ordinance in Bovina. Robson asked for something in writing be sent to her, as well as Supervisor Molé. She recommended that perhaps as neighbors they could work something out between them. The neighbors in question have spoken to each other regarding the problem.

Joan Nau asked Councilman McIntosh if he had been in contact with Verizon or Cell One about a Cell Tower in Bovina. McIntosh said that the last contact was that the tower companies are withdrawing from the area. Nancy Rose said that she was in a Verizon store about a month ago and they told her they would be very interested in coverage in this area. McIntosh said that the cell providers aren't going onto the towers so JNS couldn't fill their towers. Supervisor Molé said that JNS has pulled out of a few towns in this area. McIntosh asked JNS if it would help if a petition was circulated and he was told no. He said that he has not spoken with the JNS representative in the last three or four months and will contact them again to see where things stand.

**2009-130** The minutes of the July 22, 2009 Special Meeting were accepted as presented. Moved by Brown, seconded by Stewart. All in favor, 5 ayes, 0 nay's.

**2009-131** The minutes of the August 11, 2009 Regular Town Board meeting were accepted as amended. Moved by Robson, seconded by Stewart. All in favor, 5 ayes, 0 nay's.

Molé has spoken with CWC regarding the Small Cities Grant Program for new sewer connections. Brown doesn't think the town should do this; the time to hook up was when the sewer installation was done. Molé said that Town Law says that the Town should have made sure it was done at the time.

**2009-132** The GENERAL bills (126-137) 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.

**2009-133** The GOOD NEIGHBOR bills (11-16) 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.

**2009-134** The SEPTIC bills (23-25) were audited prior to the meeting and approval for payment was moved by Stewart, seconded by Robson. All in favor, 5 ayes, 0 nay's.

**2009-135** The WATER bills (33-37) 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.

**2009-136** The LIGHTING bill (9-9) was audited prior to the meeting and approval for payment was moved by Robson, seconded by Stewart. All in favor, 5 ayes, 0 nay's.

**2009-137** The HIGHWAY bills (113-121) 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.

Supervisor Molé gave flyers for Operation Clean Sweep to those interested.

**2009-138** There was one bid for Trash and Refuse Collection, Hauling and Disposal Services from Bloomville Disposal Services. The contract is good for one year with 4 one-year options. It was moved by Stewart, seconded by Robson to accept the bid. All in favor, 5 ayes, 0 nay's.

**2009-139** The October Town Board meeting will be held on Monday, October 5, 2009 at 6:00 PM. The Tentative Budget will be presented at this meeting. Moved by Stewart, seconded by Brown. All in favor, 5 ayes, 0 nay's.

Supervisor Molé said that there was a computer problem with the water system over the holiday weekend. It was difficult getting the word out to the water users. The computer problem has been resolved and the water plant is operating normally.

Supervisor Molé invited the Board to the Planning Board meeting on September 21, 2009 at 7:30 PM.

Supervisor Molé said told the Board that on September 1, 2009 the Town was in Small Claims Court versus Behrer. The Court ruled in the Towns favor.

Supervisor Molé said that the Board needs to decide how to spend the \$4,400 left on the grant for the Community Hall.

Councilman McIntosh brought up the mailing from Cliff Crouch trying to help the farmers. McIntosh said that Crouch is asking Governor Paterson to release funding for the New York State Dairy Assistance Program. He handed out cards supporting Crouch's position and asked that they be signed and returned to Crouch.

#### **HIGHWAY COMMITTEE**

Councilwoman Stewart said that the Committee did not meet this month.

#### **PARKS & RECREATION COMMITTEE**

**2009-140** Councilman Brown and Councilwoman Robson met to decide what improvements they could make to the basement. Brown has had a request to replace the sink in the kitchen. He feels that replacement of the appliances, painting the cabinets, and new hardware would improve the kitchen. Lowe's will remove the old appliances and any leftover money could be used for a new folding game table and some new folding chairs and tables, countertops and painting. Molé asked about the floor. Brown said it can't be done with what money there is available. Robson feels there would be more interest in the usage of the hall if the kitchen were improved. Brown thought about a wall mounted microwave. Councilwoman Stewart asked about the china. Robson said that the china wasn't too bad. Councilman McIntosh asked if a 2 bay sink is acceptable with the Health Department as opposed to a 3 bay. Brown asked if it would make a difference if this was a Town building rather than a business. Robson will check on this. Molé said if there is any money left that it could be used for the Highway Garage office furniture. Nancy Rose asked if a dishwasher was included in the appliances. Both Brown and Robson said there are Health Department issues there also. Brown also noted that there was a note from Janet Stewart at the Post Office saying that she needs a new door. He projects that the Community Hall projects will be no more than \$2,900 which leaves \$1,500 to go to Highway. Moved by Stewart, seconded by McIntosh. All in favor, 5 ayes, 0 nay's to go ahead with the remodel of the kitchen.

## HIGHWAY SUPERINTENDENT REPORT

Highway Superintendent Burgin handed out his monthly report. Councilwoman Robson asked about the FEMA Bridge Project on Lee Hollow Road and the side rails. Burgin said that there was a mix up when the order was put in and the barrels are there for safety reasons. When the side rails come in they will be installed, the engineer will inspect the project and sign off. Burgin said that the crew is continuing to work the roads; they have done 6 miles of ditch work over the last month. They have been working on the building site when needed. They have been working roads for the second time this year where needed, hauling product to sand shed. Burgin has had a logger ask about cutting trees along Doig Hollow. He'll speak with the Planning Board Clerk about getting a map and checking on this. The property owner wants the cut trees. His feeling is that the owner can have the trees if the stumps are removed, by the owner, when the logger cuts the trees. Stewart asked how the Town handles this when the trees are on the Towns property. Burgin said they are removed with a back hoe but with trees this size they couldn't do it. Stewart said that the cost of grinding the stumps could be cost prohibitive.

**2009-141** It was moved by Robson, seconded by Brown for the Board to move into Executive Session at 8:15 PM. All in favor, 5 ayes, 0 nay's.

The Board came out of Executive Session at 9:27 PM.

Bookkeeper Joe Hanley gave the Board a report on where the Highway Budget stands to date.

Supervisor Molé is working on a grant for \$25,000 for the Highway Garage.

With no further business, the meeting was adjourned at 9:27 PM.

Respectfully submitted,

Catherine Hewitt  
Town Clerk