

Bovina Town Board
Regular Monthly Meeting
November 9, 2010

RESOLUTIONS: 2010 - 109 – 122

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

Absent: Robert Burgin, Highway Superintendent

Others Present: Joseph Hanley, Town Bookkeeper; Mark Rossley, Shyamel SenGupta, Richard Cormack, Donn Carlton, D-C Remodeling; Ray LaFever, Peter Manning, Delaware County Times Reporter.

The Public Hearing was opened at 6:05 PM by Supervisor Molé, followed by the Pledge of Allegiance. The Clerk read the Legal Notice.

Bookkeeper Joe Hanley reported that the levy increase for 2011 is .73%. He said there were no changes from the Tentative Budget to Preliminary. Shaymel SenGupta addressed the Board with his concerns.

Public Hearing closed at 6:25 PM.

Regular Monthly meeting was opened at 6:25 PM.

Richard Cormack addressed the Board concerning his property on Lee Hollow Road. When he purchased the property in 2003 it had a paved road in front of it and it is now a dirt road. He has spoken with Highway Superintendent Burgin and calcium was applied to the road. The road was graded and the driveway to Cormack's property is now higher than the road. Rain water washing down the road is eroding the road in front of his culvert. Cormack feels that the road doesn't need as high a crown as it has for water run off. Councilman McIntosh said that he will speak with Burgin concerning this matter and they would be up to do a site visit to see what can be done. Cormack is concerned about losing his driveway which wasn't a problem when the road was a hard surface.

2010-109 The minutes of the Special Meeting held September 29, 2010, were approved as amended. These minutes had previously been approved as written. Moved by Stewart, seconded by Robson. All in favor, 5 ayes, 0 nays.

2010-110 The minutes of the October 5, 2010 Tentative Budget Meeting/Regular Monthly Meeting were approved as amended. Moved by Brown, seconded by McIntosh. All in favor, 5 ayes, 0 nay's.

2010-111 The GENERAL bills (141-160) 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.

2010-112 The LIGHTING bills (10-11) 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.

2010-113 The WATER bills (34-40) 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.

2010-114 The SEPTIC bills (25-29) were audited prior to the meeting and approval for payment was moved by Stewart, seconded by McIntosh. All in favor, 5 ayes 0 nay's.

2010-115 The HIGHWAY bills (139-154) 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.

Supervisor Molé told the Board that Donn Carlton, D-C Remodeling found mold and a water problem in the front corner of the kitchen. Carlton said he has applied 4 coats of dry-lock as well as a plastic sheeting barrier. He gave the Board the cost overrun invoice to fix the mold problem. Carlton hopes to be finished before the end of December. Councilman McIntosh agreed that it made no sense to finish the project without fixing the mold problem.

Councilman Brown gave the Board a letter in response to his inquiry regarding moving the mailboxes at the end of Brush Hollow Road. The Post Office is unwilling to do this. There was discussion about the removal of the outside mailbox at the Post Office. Brown will look into putting a mail slot through the side door for mail drop off after hours at the Post Office.

2010-116 *Whereas there was a 2011 Preliminary Budget Public Hearing held November 9, 2010 and BE IT RESOLVED the Town of Bovina Budget be adopted.* Moved by McIntosh, seconded by Robson. All in favor, 5 ayes, 0 nay's.

2010-117 It was moved by Brown, seconded by Stewart to set a Public Hearing for December 14, 2010 at 6 PM for the purpose of adopting the Dog License Local Law. All in favor, 5 ayes, 0 nay's.

Supervisor Molé gave the Board a copy of the letter she will be sending to the two parties that a Delaware County Sheriff's Deputy found in the Transfer Station after hours. Mark Rossley said that having the paper recycling container in the Transfer Station invites people in to the Station. Councilwoman Stewart, as well as, Supervisor Molé and Councilman McIntosh said that they thought the paper bin was supposed to be back at the Highway Garage after the garage project was completed.

Supervisor Molé said that the NYS Building Codes link as well as the Town Zoning Laws will now be on the Town Website.

A resident of Bramley Mountain Road has asked Supervisor Molé to have a speed study done on that road. Councilman McIntosh suggested that the study go all the way down Lee Hollow. Councilwoman Robson said that the speeding started after the road was paved.

2010-118 It was moved by Brown, seconded by McIntosh to have Molé make a request to DOT to do this study. All in favor, 5 ayes, 0 nay's.

Councilman McIntosh said that Henry Bonné has asked him about having a Stop sign placed on County 6, coming down the Church pitch. Supervisor Molé will talk to Wayne Reynolds, from Delaware County DPW.

Supervisor Molé told the Board that the Town Attorney, Langdon Chapman, was in Town Court representing the Town for a Dangerous Dog Hearing. Councilman Brown asked if the bill can be passed on to the owner of the dog. Molé will look into that possibility.

HIGHWAY COMMITTEE – Councilman McIntosh reported that he met with Highway Superintendent Burgin. The sealing on New Road has been completed. The paving at the Highway Garage is almost completed. There was a low spot that had to milled out and replaced. Roads have been graded for the second time. The crew spent two weeks fixing damage done by the flood in September. There will be no help from FEMA for

the flood damage, the criteria wasn't met. CHIPS paperwork has been sent in. The Town will get \$89,266.73. The Red International Dump Truck is in need of replacement. McIntosh passed pictures around of a 1999 ten-wheel dump truck which will be offered on an on-line auction. It is a Volvo, with 176,250 miles, a Cummings engine, and was owned by the Town of Candor. The plow and wing will be sold separately. If Burgin is not approved to bid on this truck, he asked that the Board approve spending \$11,000 to \$12,000 to purchase a new stainless steel hopper sander.

2010-119 It was moved by McIntosh, seconded by Brown to approve Highway Superintendent Burgin spend up to \$25,000 plus the 8% buyer's fee for the truck, plow and wing. This will be part of the 2010 budget spending. All in favor, 5 ayes, 0 nay's.

2010-120 It was moved by Robson, seconded by Stewart to approve Highway Superintendent Burgin put out to bid a 10 foot stainless steel sander if the truck sells for over the amount approved by the Board to spend. All in favor, 5 ayes, 0 nay's.

Councilman McIntosh commended Highway Superintendent Burgin on the efforts he went to get the FEMA money for the Town Highway Department and also his efforts on getting the paving done at the Highway Garage.

Councilwoman Stewart asked about the dirt that was recently dug out at the highway garage. Councilman McIntosh said that when the building was built, gutters with downspouts were put on the building and it was unclear who was to hook the downspouts up, LaFever Excavating, who did the Stormwater System or Tom Howard Construction, who built the building. The eaves dripped in the front, office corner of the building causing settling. Sheetrock cracked in the office and had to be repaired twice. The Town dug out the fill in the front corner which was saturated with water and the foundation for an old garage was in there. The building was jacked up, steel was put in, and the building was fixed outside and in.

FINANCE COMMITTEE – Councilwoman Stewart said that she talked with Bookkeeper Joe Hanley. She said there has been discussion regarding a replacement schedule on the Highway Equipment. Stewart feels the schedule needs to be done.

BUILDINGS – It was noted that the outside drop box for the Post Office has been removed. It was suggested that perhaps a drop slot be put in the door on the side of the building.

PLAYGROUND/TRANSFER STATION – Councilwoman Robson reported that the gate at the playground wasn't level and wouldn't close. Her husband has fixed the problem. She suggested that perhaps a self-closing gate be considered at some point. Robson looked into purchasing a 30-gallon garbage can for the playground. The cost, with shipping would have been over \$500 so repair is being made to the existing garbage bench and also the fence where necessary. Robson feels that it should be stated in the lawn contract that the company in charge of mowing is responsible for the check off list for the playground. She will also be reminding him that the fall clean-up is in the contract.

In regards to the Transfer Station, Robson suggested that a letter, with updated information about the Transfer Station be included with the tax bills. She feels that it needs to be stated that the Transfer Station is for Town residents only and that it will be enforced. Robson said that the recent Tire Day shows that there is a need for Tire Day to be done twice a year. She suggested that one be held at the end of May and the second one on the first Saturday in November. The first will be May 21, 2011 and the second will be November 5, 2011.

Supervisor Molé will meet with a representative from the Town Health Insurance carrier to go over the 2011 Health Care plans.

2010-121 It was moved by Robson, seconded by McIntosh for the Board to go to Executive Session at 7:45 PM. All in favor, 5 ayes, 0 nay's.

2010-122 It was moved by Robson, seconded by McIntosh for the Board to adjourn from Executive Session at 8:21 PM. All in favor, 5 ayes, 0 nay's.

With no further business, the meeting was adjourned at 8:21 PM.

Respectfully Submitted,

Catherine Hewitt
Town Clerk