

Bovina Town Board  
Regular Monthly Meeting  
January 11, 2011

**RESOLUTIONS: 11 – 27**

**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:** Peter Manning, Delaware County Times Reporter; Ed & Gretchen Rossley, Ray LaFever, Town Historian.

The meeting opened at 6:10 PM by Supervisor Molé.

**COMMUNITY CONCERNS:** Ed Rossley spoke to the Board regarding the expenditure of tax dollars for an attorney to handle a labor and personnel issue at the Highway Department. He feels that it is a conflict of interest for Councilman McIntosh to head up the Highway Committee since McIntosh's son is a highway employee. Rossley went on to say he doesn't feel that the driveway regulations are followed uniformly in the Town. Highway Superintendent Burgin offered to meet with Rossley to go over the problem he has with the driveway regulations. Rossley commended the Highway Superintendent and his crew on the ditching and brush clearing they've been doing.

**2011-11** It was moved by Robson, seconded by Stewart to approve the December minutes as amended. All in favor, 5 ayes, 0 nay's.

**2011-12** The GENERAL bills (177-189) from December 2010 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.

**2011-13** The WATER bills (49-51) from December 2010 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.

**2011-14** The HIGHWAY bills (171-186) from December 2010 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.

**2011-15** The SEPTIC bills (35-35) from December 2010 were audited prior to the meeting and approval for payment was moved by Brown, seconded by Robson. All in favor, 5 ayes, 0 nay's.

**2011-16** The GENERAL bills (1-16) 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.

**2011-17** The SEPTIC bills (1-2) were audited prior to the meeting and approval for payment was moved by Brown, seconded by Stewart. All in favor, 5 ayes, 0 nay's.

**2011-18** The WATER bills (1-3) 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.

**2011-19** The LIGHTING bill (1-1) was audited prior to the meeting and approval for payment was moved by Robson, seconded by Brown. All in favor, 5 ayes, 0 nay's.

**2011-20** The Board members audited the books of the Town Justice as well as all of the Financial Records of the Town prior to the meeting. It was moved by Brown, seconded by McIntosh to accept the Judges year end report as well as those of the Town as reviewed. All in favor, 5 ayes, 0 nay's.

**2011-21** It was moved by Stewart, seconded by Robson to make the necessary budget transfers. All in favor, 5 ayes, 0 nay's.

Supervisor Molé told the Board about:

- the Association of Towns Annual Meetings in New York City.
- SUNY Delhi will not offer summer swim lessons for 2011. Notice will be put on the website as well as posted to the Town Clerk's Board.
- A Shared Services Workshop will be held at the Andes Town Hall. Molé will look into this being held on February 22, 23, and 24 at 6:30 PM.

**2011-22** The Employee Policy was amended and will be distributed to every Employee as well as Elected Officials. The policy will be reviewed every January. It was moved by Brown, seconded by Stewart to accept the amended Employee Policy. All in favor, 5 ayes, 0 nay's.

Councilman Brown asked if the Clerk had sent a letter to Andes School allowing their use of the Bovina Community Hall in the event of an emergency evacuation. She had not, but will this week.

**FINANCE COMMITTEE** – Councilwoman Stewart reported that she has met with Bookkeeper Joe Hanley and everything seems okay. There is an issue with the Water Account and that account will show a deficit for 2010. She and Hanley are working on getting the annual report together.

**HIGHWAY COMMITTEE** – Councilman McIntosh met with Highway Superintendent Burgin a couple of times. The men have been busy with nuisance snow. The new employee is doing a good job. The inventory book isn't ready at this time. The book will include pictures of the equipment with the purchase price paid for each. Councilwoman Robson asked about the insurance representative taking pictures of buildings and equipment. Councilwoman Stewart asked if the booklet will have a schedule the equipment replacement. McIntosh said that it might not be a long term schedule. The pickup and a backhoe are to be replaced for 2011. Robson asked about the renting of the equipment for roadside mowing. Burgin said that the rental worked out well and he'd like to do it again this summer.

**PLAYGROUND/TRANSFER STATION** – Councilwoman Robson said that there is nothing to report on the Playground. She said that she has spoken to a concerned citizen about the Transfer Station holiday hours over Christmas. She feels that in the future if the hours or day will be different, notice should be put on the website as well as the Town Clerk's Board. Robson said she was surprised at how many people need transfer station stickers.

**BUILDINGS** – Councilman Brown gave a recap of the work that has been done to the Community Hall through the years with Grant money. He would like to see improvements to the building continue when Grant money is available. Brown said that he has looked into a light for the Post Office employee out front. He said that perhaps a photo sensor light over the message board so that it comes on at dusk and goes off at dawn. Brown said that the kitchen remodel is finished and invited the Board to take a look at it. The cabinets were made from reclaimed wood from the old kitchen. Brown said that due to the complications involved, the contractor put in extra work and he feels that the Town got a good deal. He said that the dishware and silverware needs to be looked over. Supervisor Molé said that she could contact Pat Miele to see if she would be interested in doing that. Brown suggested that an Open House be held on a Sunday afternoon to let the community know that the kitchen has been redone and is available for use. Councilwoman Stewart

said that the Thistle Be The Best Little 4-H Club would serve refreshments for the Open House on March 20<sup>th</sup> from 1 to 3 PM.

Town Historian Ray LaFever said that regarding the records vault, there needs to be some heat in there to make a more stable environment. He said that he's not sure the vault needs to have its size increased, but it does need to be purged.

#### HIGHWAY SUPERINTENDENT

Highway Superintendent Burgin reported that the men have been busy plowing and sanding. They have been cutting brush on Calhoun Hill so the sun can get in on the road. Scutt Mountain is another road that needs brush cutting done. The bids for the pick up were \$44,979 from Country Club Chevrolet and \$41,242 from Joe Basile Chevrolet. He would like to make the 2006 pick up surplus and put it in an online auction from February 2<sup>nd</sup> through the 9<sup>th</sup>. There will be 24 hours to accept or reject any bid and there is no cost to the Town. Councilwoman Stewart asked about accepting the bid from Basile Chevrolet and the warranty work needing to be done at that dealership. Burgin said that warranty work can be done at any Chevrolet dealer. Stewart asked about regular maintenance being done by the Town's mechanic. Burgin said that the Town can do it as long as it's documented. Councilman McIntosh said that the time frame of a 3 month delivery for the new truck, using the current pick up could be expensive. Stewart asked if there is anything wrong with the pick up now. Burgin said there was nothing wrong. Councilwoman Robson asked why there is a longer delivery time from Basile Chevrolet. Burgin is unsure why. McIntosh said it seems like buying from one dealer and then going to another dealer for warranty work, you're not at the top of the list for repairs. Ed Rossley asked if the Town still deals with Williams lubricant. He said that they have a warranty behind their product. McIntosh asked if that warranty pertains to a new vehicle and Rossley said that it does. Burgin said that he feels that it would be best to go with the shorter delivery time. It's also the best time to sell the 2006 pick up and plow. Stewart asked about the value of the 2006. Burgin said that Blue Book values it at \$18,000 to \$19,000. Supervisor Molé asked if Burgin had a minimum in mind, and Burgin said between \$20,000 and \$21,000. The truck was purchased for \$28,000. Robson said that she feels that they should go for the earlier delivery time with Country Club as long as the crew makes the commitment to save where they can. McIntosh said that there are extra miles on the 2006 pick up because the prior highway superintendent took the truck home with him. Burgin feels that it is very important to keep the warranty on the pick up. McIntosh said that if Williams Lubricant has a warranty, the Town might be able to do away with the cost of the extended warranty.

**2011-23** It was moved by McIntosh, seconded by Robson to accept the bid of \$44,979 from Country Club Chevrolet. All in favor, 5 ayes, 0 nays.

**2011-24** It was moved by Robson, seconded by Brown to declare the 2006 Chevrolet pick up as surplus. All in favor, 5 ayes, 0 nays

Councilwoman Stewart asked how the new plow truck was working out. Burgin said that an electronic cable harness went bad creating more issues. With the computer program on the Volvo, Burgin had Dixon Diesel come in and repair the truck. McIntosh asked if Burgin is finding the truck to be more efficient and Burgin said that it is.

Councilman McIntosh addressed the concern from Ed Rossley about his being on the Highway Committee. He said he is starting his tenth year as a councilman and he has been on the highway committee since he became a councilman. He does meet with the Highway Superintendent but makes no decisions on his own. The Board makes decisions as a group. He makes no decisions without the Board's approval. He said he is not Brian McIntosh's boss and he is not Bob Burgin's boss. Bob is the elected Highway Superintendent and he is the boss of the highway employees.

**2011-25** It was moved by Robson, seconded by Brown for the Board to move into Executive Session.

**2011-26** It was moved by Robson, seconded by McIntosh for the Board to adjourn from Executive Session.

**PROPOSED RESOLUTIONS FOR ACTION BY TOWN BOARD REGARDING**  
**EMPLOYEE #41833211**

1. **RESOLVED**, that Employee #41833211 be and is hereby placed upon suspension pursuant to New York Civil Service Law § 75, and it is further
2. **RESOLVED**, that certain charges dated December 23, 2010 against Employee #41833211 be and hereby are approved and said Employee is placed upon suspension pursuant to that statute, without pay, for up to thirty (30) days, and it is further
3. **RESOLVED**, that Alfred Riccio of Watertown, New York, be and is hereby appointed to serve as Hearing Officer, pursuant to Civil Service Law § 75, in connection with certain charges against Employee # 41833211, at the per diem rate of \$750.00 per day plus expenses, and it is further
4. **RESOLVED**, that the Board does hereby appoint Czerenda Court Reporting Services of Binghamton, New York, to serve as the hearing stenographer and said stenographer is directed to prepare a verbatim transcript of the proceedings, in accordance with New York Civil Service Law § 75.

**2011-27** Moved by Brown, seconded by Robson

Supervisor Molé	Aye
Councilman Brown	Aye
Councilman McIntosh	Aye
Councilwoman Stewart	Aye
Councilwoman Robson	Aye

With no further business, the meeting was adjourned at 8:13 PM.

Respectfully submitted,

Catherine Hewitt  
Town Clerk