

Bovina Town Board
Regular Monthly Meeting
September 12, 2011

RESOLUTIONS: 2011 – 102 – 108

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

Others Present: Mark Rossley, Ed Weber, Heidi Gogins, Annette Robbins, Ann Roberti, Neal & Nellie Bevilaqua, Joan & Jack Nau, Corneel Verlaan, Peter Manning, Delaware County Times Reporter; Lynne Resch

Supervisor Molé opened the meeting at 6:02 PM followed by the Pledge of Allegiance.

COMMUNITY CONCERNS: Heidi Gogins spoke to the Board about her concerns with Gas Drilling coming to New York State. She gave information to Highway Superintendent Burgin on road damage caused by the truck traffic as well as other traffic connected to gas drilling. Gas drilling drives out agriculture in an area. Gogins gave Councilwoman Stewart information on the health issues to agriculture. Towns need to look at what is in their best interest.

Ed Weber said that he has noticed that the Employee Handbook has the job titles listed but doesn't have the employee qualifications. Highway Superintendent Burgin said that they can be put in; Weber feels that it is important to have the qualifications in there. Weber asked if there are employees that meet the necessary qualifications and Burgin said that they all do. Weber asked about the mechanic meeting the qualifications and Burgin said that he did. Weber said that one of the qualifications is 5 years experience with a CDL (Commercial Drivers License) and that Councilman McIntosh has said in the past that it's important to keep the younger generation in town if possible. Weber feels that the Town should look at changing that requirement and help young people get their CDL. Supervisor Molé said that the Board will take that under advisement. Weber asked about the pickup being taken out for service rather than it being done by the mechanic. Burgin said that they have stopped doing that quite a while ago. Weber asked if the Highway Department does work for the Special Use Districts in the Hamlet. Burgin said that they do if they're asked. Weber asked if the Highway Department is compensated for that work. Burgin said that they do not, one hand washes the other. Weber's understanding is that it is an illegal practice. Councilman McIntosh said that the Board has talked about Shared Services in the Town, why hire outside when we can share the services. Weber asked what he gets out of the Town Highway working on a special district in the hamlet. McIntosh asked what he gets out of the Highway Department plowing Weber's road. Councilman Brown stated that this was the wrong forum for a debate.

2011-102 It was moved by Stewart, seconded by Brown to approve the August minutes as amended. All in favor, 5 ayes, 0 nay's.

Joe Hanley, Bookkeeper told the Board that in regards to the budget, the law that was passed in January of 2011 will only allow a 2% increase in the tax levy. Not in consideration is the fire district. Supervisor Molé asked if this was a 2% overall or is it between General and Highway. Hanley said that between General, Lighting and Highway the Tax levy cannot exceed 2%. Councilman Brown asked what happens if the Towns can't meet this 2%, with flood damage or other extenuating circumstances. Hanley said that a Local Law would need to be passed in that case.

2011-103 The GENERAL bills (107-116) 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.

2011-104 The LIGHTING bill (9-9) was audited prior to the meeting and approval for payment was moved by Stewart, seconded by Brown. All in favor, 5 ayes, 0 nay's.

2011-105 The WATER bills (29-31) 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.

2011-106 The SEPTIC bill (22-22) was audited prior to the meeting and approval for payment was moved by Stewart, seconded by Robson. All in favor, 5 ayes, 0 nay's.

2011-107 The HIGHWAY bills (110-129) were audited prior to the meeting and approval for payment was moved by McIntosh, seconded by Stewart. All in favor, 5 ayes, 0 nay's.

Supervisor Molé contacted the Assessor regarding the bill he submitted for half the cost of computer equipment. The bill represents half the cost as the Town of Delhi pays half. The Board agreed that the bill should be paid.

Supervisor Molé has contacted the Town attorney regarding the invoice to the Heart of the Catskills Humane Society. Without a local law, the Town has to pay the bill. Molé said the Town could create a local law but it's costly and Councilman McIntosh pointed out that it's too late for the law to take care of this. Councilwoman Robson said that a plan for the future, the Board might want to have something on the books. Councilman Brown said the first indication the Board had of this bill was when it was 60 days old. Councilwoman Stewart said that there needs to be some thought before the Board signs the next contract. McIntosh feels that the Board should review the dog ordinance, which he has suggested before. The Clerk will get copies of the Local Law to the Board. McIntosh asked Ed Weber if he took the dogs in and Weber said he did on an order form the State Police and that he has never notified the Board before. Brown suggested that perhaps that should be part of the ordinance. Robson said that this particular incident was complicated because of a court order. Normally animals are returned to the owner or put up for adoption.

2011-108 It was moved by Brown, seconded by Stewart to pay the bill of to the Humane Society. All in favor, 5 ayes, 0 nay's.

Supervisor Molé

- Said that the Annual Water Report is on file in the Clerk's Office.
- The County Board of Supervisor's passed a Resolution to dispose of the old voting machines in June. Councilman McIntosh asked what the feelings were on what to do with the machine. He feels it's a shame to have it go to scrap and suggested that perhaps the Historical Society would like it. Councilwoman Stewart will see if there is an interest at the Library for kids to play with.

FINANCE REPORT – Councilwoman Stewart met with the Bookkeeper, Joe Hanley. The budget process was discussed. The personnel at the County have gotten the reports up to 2009, still working on 2010 and 2011. Councilman McIntosh asked about getting the percentage of remaining balance on the monthly reports. Stewart will ask the Bookkeeper to have that information put on the Supervisor's reports.

HIGHWAY REPORT – Councilman McIntosh said that he has met with Highway Superintendent Burgin and discussed the recent weather related events. McIntosh feels that we've been lucky in Bovina due to the Highway Department keeping the ditches clean as well as the road maintenance. He said the Sunday of the flood, Burgin set up a command center at the Highway Department with the highway crew as well as fire department members that were available. He commended Burgin for taking control of the situation and handling things very professionally. Crews could be sent where needed as things happened throughout the Town.

TRANSFER STATION/PLAYGROUND REPORT – Councilwoman Robson said that the solution for the C&D bin of putting up a cable worked well, but had been removed. She put it back in place. Councilman Brown said that the bin could be accessed from where the railroad ties are, so that debris is being dropped down into the bin. Also discussed was the sign regarding the C&D restrictions being outdated as well as the placement of the electrical refuse container being placed at the Transfer Station. Perhaps the sign should be removed at this point. There is also a question of perhaps eliminating mattresses and box springs being discarded at the Transfer Station. It was suggested that they remain but perhaps be separated. Tire Day will be November 5, 2011; Supervisor Molé will notify Bloomville Disposal so that the bin will be available. Ed Weber asked if the rule for tire disposal is 8 tires per resident or per landowner. Robson said there is no distinction but feels it should be per resident.

BUILDINGS – Councilman Brown has D-C Construction and Remodeling replacing the top rail, any spindles that need to be fixed and removing the algae from the fence at the playground. Treated lumber will be used as replacement. He said that perhaps the fence can be painted with weatherproof in the spring.

HIGHWAY SUPERINTENDENT REPORT – Highway Superintendent Burgin passed pictures of the damage from the recent flood around for the Board to see and said that the crew has been busy with water lately. Councilwoman Stewart asked how many roads had damage. Burgin said there was lots of damage to many roads. The crew is fixing as they go with the worst being done first and working their way around. Burgin attended the kick off meeting with FEMA regarding the spring storms, there are thirteen projects included in that storm. Hurricane Irene has been declared, he is unsure if the Lee storm will also be declared. Councilman McIntosh said that there has been discussion about putting tonka blocks up on two sides of the C&D bin. He said that if the Transfer Station closes down the road, the blocks can be used someplace else. The Board agreed to get an estimate on tonka blocks for two sides of the C&D bin. Mark Rossley said that he feels a concrete pad for the C&D bin would help since the bin is off kilter. Supervisor Molé thanked Highway Superintendent Burgin for doing the FEMA paperwork. She said not many towns have finished the paperwork. Mark Rossley asked about the cost of the construction of the Highway Building. Supervisor Molé said that the total was \$480,111.49 from beginning to completion and \$200,000 was bonded. Lynne Resch asked if the Town was taking part in any stream clearing while it's open to do without a permit. Burgin said that there is a one page permit until October 18th and they may do some as there are a couple areas of concern. Resch said that the streams can't be dredged and asked if it would help to dredge. Burgin said it would be helpful. Resch feels that the County Supervisors should put their foot down and fight to allow stream dredging.

Ed Weber asked Councilman McIntosh to explain Shared Services with Water District, Septic District and Town Highway. He asked what it does for those outside the district areas. McIntosh said that the Water District serves the whole Town through the Fire Department, the Church, as well as the Community Hall, so the area outside the Hamlet benefits. McIntosh asked Weber what the people in the Hamlet get for the Highway Department working his road. It was suggested that this is not the proper forum for a debate.

With no further business, the meeting was adjourned at 7:10 PM.

Respectfully submitted,

Catherine Hewitt
Town Clerk