

Bovina Town Board
Regular Monthly Meeting
June 12, 2012

RESOLUTIONS: 2012 – 83 – 100

Board Members Present: Tina Molé, Supervisor; Mark Rossley, Charles McIntosh, Evelyn Stewart, Gerald Wright, Council; Catherine Hewitt, Town Clerk

Absent: Ed Weber, Highway Superintendent

Others Present: Mary/Vince Trimbell, Ken Brown, Kevin Brown, Pat Miele, Barb Garcia, John/Loretta Fink, Dick Barnhart, Dick McIntosh, Elaine Stewart, Deanna Stewart, Heidi Gogins, Joan/Jack Nau, Mel/Marni Greenberg, Nelson Bradshaw-Delaware County Times Reporter, Henry Lamont-Lamont Engineers, Kevin Young-Watershed Attorney, Mike Jonker-in charge of Operations for LVDV

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

Henry Lamont was at the meeting to let the Board know where things stand with the septic system repairs as well as continuing to assess what needs to be done. A status update from LVDV Operations is attached.

2012-83 It was moved by Stewart, seconded by Rossley for the Board to go into Executive Session at 6:25 PM for a personnel issue. All in favor, 5 ayes, 0 nays.

2012-84 It was moved by Stewart, seconded by Rossley to come out of Executive Session at 7:25 PM. All in favor, 5 ayes, 0 nays.

The Board discussed the Operation and Maintenance Contract with LVDV Operations. Councilwoman Stewart asked Mike Jonker questions concerning the contract. The Board discussed points in the contract.

2012-85 It was moved by Wright, seconded by Rossley to enter into a contract between The Town of Bovina and LVDV Operations. The contract will begin on August 1, 2012 and will be up for renewal on December 31, 2014.

Supervisor Molé	Aye
Councilwoman Stewart	Aye
Councilman McIntosh	Aye
Councilman Wright	Aye
Councilman Rossley	Nay

There will be someone local hired to assist LVDV with operations. Pat Miele asked if this position would be posted as a job. Mike Jonker told Supervisor Molé that any interest in the job should be forwarded to LVDV.

2012-86 It was moved by Wright, seconded by Rossley to accept the minutes of the May 8, 2012 Regular Monthly Meeting as amended. All in favor, 5 ayes, 0 nays.

2012-87 It was moved by Stewart, seconded by Rossley to accept the minutes of the May 24, 2012 Special Meeting as written. All in favor, 5 ayes, 0 nays.

2012-88 The GENERAL bills (69-86) were audited prior to the meeting and approval for payment was moved by Rossley, seconded by Wright. All in favor, 5 ayes, 0 nays.

2012-89 The LIGHTING bill (6-6) was audited prior to the meeting and approval for payment was moved by McIntosh, seconded by Rossley. All in favor, 5 ayes, 0 nays.

2012-90 The WATER bills (20-23) were audited prior to the meeting and approval for payment was moved by Rossley, seconded by Stewart. All in favor, 5 ayes, 0 nays.

2012-91 The SEPTIC bills (11-16) were audited prior to the meeting and approval for payment was moved by Rossley, seconded by Wright. All in favor, 5 ayes, 0 nays.

2012-92 The HIGHWAY bills (68-80) were audited prior to the meeting and approval for payment was moved by Stewart, seconded by Rossley. All in favor, 5 ayes, 0 nays.

It was noted that there was a cost of \$645.54 for overage of the C&D.

Supervisor Molé asked the bookkeeper to tell the board of his findings on getting a better price for long distance on the town phones. AT&T rates are 3½¢ to 5½¢ a minute. Councilman Rossley asked if there is a monthly or yearly contract, and there is no contract.

2012-93 It was moved by Rossley, seconded by Stewart to switch the Town phones to AT&T long distance. All in favor, 5 ayes, 0 nays.

Bookkeeper Joe Hanley discussed changing the Town Bank accounts from personal to business which will enable him to do direct deposit for payroll for those who want direct deposit.

2012-95 It was moved by Wright, seconded by Rossley to do a Corporate Resolution for Electronic Funds Transfers. All in favor, 5 ayes, 0 nays.

Bookkeeper Hanley told the Board that the hours worked for January, February and March need to be completed again. This is required by the State Comptroller's Office for anyone in the New York State Retirement System.

Supervisor Molé said that she has spoken to Bloomville Disposal regarding the metal container at the Transfer Station. They are willing to put a metal bin in at no charge to the Town; they will get the revenue from the metal. Councilman Rossley said that Weitzman will charge \$250 and if Bloomville is willing to do this it's good for the Town.

2012-96 It was moved by Rossley, seconded by McIntosh to have Bloomville Disposal have a metal container at the Transfer Station. All in favor, 5 ayes, 0 nays.

Supervisor Molé told the Board that the Annual Water Report is done and will be on file at the Clerk's office for anyone wishing to review or obtain a copy of it. Molé noted that there are two violations in the report. **2012-97** It was moved by Rossley, seconded by Stewart to have the Clerk put the Legal Notice in the paper regarding the annual water report. All in favor, 5 ayes, 0 nays.

The swim lesson contract with SUNY Delhi is on file in the Clerk's office.

HIGHWAY REPORT

Councilman Wright said that he got a call from Vince Trimbell who asked if logs being removed from the Trimbell property were in the Right-of-Way. He had been told by Highway Superintendent Weber that they were, and he had 48 hours or less to move them. Wright said that they were possibly encroaching the Right-of-Way and he discovered that the logs were owned by logger, Jeff Waters and that he would be moving them as soon as he could. Wright had a call from a part-time resident of Huff Road regarding the pot holes and he referred them to Weber. A second call inquired as to why Cape Horn is being rebuilt as it doesn't have much traffic. The caller asked if this project was a benefit to all taxpayers in the Town. Supervisor Molé said that Cape Horn is currently an alternate route and has to be able to stand up to log and milk trucks.

Supervisor Molé read issues that need to be addressed from Ed Weber. Attached

In part, Weber asked about renting a tractor and mower from Eklund Farm Equipment at a cost of \$1,800 per month to mow the roadsides. Councilman McIntosh asked if this would be needed for one month or more. Councilwoman Stewart said that the roadside mowing was done once for the year and all in one month. McIntosh said it was \$1,500 for the month last year.

2012-98 Councilman Rossley moved that the Board approve one month rental with a similar contract as in the past regarding repairs, etc. McIntosh said that prior contracts said what the Town is responsible for and what the rental company is responsible for. Councilman Wright seconded Rossley's motion. All in favor, 5 ayes, 0 nays.

Councilman Wright asked Richard Barnhart, Deputy Road Superintendent if the tailgate for the Volvo would be rebuilt in house. Barnhart said that it would be.

FINANCE REPORT

Councilwoman Stewart said that she met with the Bookkeeper. There seems to be an ongoing issue with Ambit. There are still three accounts that have not been switched to Ambit. Stewart will have account balance transfers next month. Stewart said that the Mirabito diesel fuel price of \$3.50 per gallon seems high. She's not sure if that's a state bid price. Hanley will check on that.

BUILDINGS REPORT

Councilman McIntosh asked if a contract has been signed with the film company using the community hall. Supervisor Molé said that the Town Attorney has been sent a copy and he feels that their contract relieves them of everything. McIntosh said that they set the catering truck up on his lawn and there was garbage left on the lawn. He did speak with Kara Janeczko from the film group. Councilman Wright asked if they had provided a Certificate of Liability Insurance. The Clerk said that it is on file in her office. McIntosh said that one set of lights on the stage have been changed. The other is buzzing and he will be taking care of it. Janet Stewart has mentioned a water leak downstairs and McIntosh said that he wasn't able to find a problem.

PLAYGROUND/TRANSFER STATION REPORT

Councilman Rossley said that he purchased the picnic table and garbage can for the playground. He will call Bloomville Disposal to remind them to pick up the trash on the playground. Someone threw a couch and mattress inside the gate at the Transfer Station. Rossley cut branches by the ball field and the Highway Department took them away. Councilwoman Stewart said that there was a resident from South Kortright using the transfer station and now his brother is using it. Rossley has spoken with the landlord of the rental property. Councilman McIntosh said that there is a checklist for the playground which Councilman Rossley should have copies of.

COMMUNITY CONCERNS

Heidi Gogins feels that the people in the NYC Watershed area are very complacent about fracking because it isn't happening here. Consideration to environmental impacts need to be given to the truck traffic dealing with the fracking equipment being driven through the area for areas that allow it. There is a compressor station being built in Hancock, a pipeline which will impact northern Delaware County. Gogins asked the Board what they are going to do to protect the Town from drilling related activity. Councilman McIntosh asked if there are any towns in the watershed area that have passed moratoriums. Gogins said that Andes has.

Mel Greenberg said that NYS Route 28 and County Highway 6 is a very dark corner. He asked if there was anything that could be done to put up street lights on that corner. Supervisor Molé said that this has been discussed in the past. She can contact the State about this.

Pat Miele asked if the cost will be the same with the Town's contracting with Lamont for the Septic System. Supervisor Molé said that it would.

Heidi Gogins said that she will come to next month's meeting to see what the Board's answer to her question of what they are going to do to protect the Town is.

Joan Nau asked if anyone had looked into cell service for emergency use after the elderly couple in Andes lost their lives due to lack of cell service. Supervisor Molé said that this has been looked into in the past. She said that cell companies aren't interested due to lack of usage. Kevin Brown agreed, cell companies aren't interested in this area due to lack of numbers. Pat Miele said that the Town of Middletown is putting in a tower. Molé said that JNS Towers was interested in this area. Councilman McIntosh said that it is a good source of income for the municipalities if the tower is sighted on Town property. He said that JNS was interested but when the economy took a downward turn, they backed out. Molé said that Verizon is interested in Andes but she is unsure if it's due to the deaths of the elderly couple.

2012-99 It was moved by Stewart, seconded by Wright to move to Executive Session for a personnel matter. All in favor, 5 ayes, 0 nays.

2012-100 It was moved by Stewart, seconded by Rossley to move out of Executive Session. All in favor, 5 ayes, 0 nays.

It was noted that the person in charge of the lawns has cleaned up around the pump station on Coulter Brook. Councilman Rossley will talk with them about clearing the right of way through the Dougherty/Basile property for the septic system. Councilman McIntosh said that the Town does have a right of way through the property and there were problems with the property owner in the past.

With no further business, the meeting was adjourned at 8:53 PM.

Respectfully Submitted,

Catherine Hewitt
Clerk/Collector