

BOVINA TOWN BOARD  
Regular Monthly Meeting  
April 8, 2014

**RESOLUTIONS: 2014 – 51 – 59**

**Board Members Present:** Tina Molé, Supervisor; Kenneth Brown, Mark Rossley, Evelyn Stewart-Barnhart, Gerald Wright (late arrival 6:03 PM), Members of Council; Edward Weber, Highway Superintendent; Catherine Hewitt, Town Clerk

**Others Present:** Marni/Mel Greenberg, Vince/Mary Trimbell, Roger/Brian/Chuck McIntosh, Peter Manning, Delaware County Times Reporter; Corneel Verlaan, Steve Burnett, Kevin Brown, Annette Robbins, Dick Barnhart, Pat Miele, John Virga, Carol Brannen, Barb Brown, Attorney Kevin Young and Allyson Phillips, Young/Sommer

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

**2014-51** It was moved by Stewart-Barnhart, seconded by Brown to accept the minutes of the March 11, 2014 meeting as presented. All in favor, 5 ayes, 0 nays.

**2014-52** It was moved by Rossley, seconded by Stewart-Barnhart to accept the minutes of the Special Meeting of March 27, 2014 as presented. All in favor, 5 ayes, 0 nays.

**2014-53** The **GENERAL** bills (47-57) were audited prior to the meeting and approval for payment was moved by Rossley, seconded by Stewart-Barnhart. All in favor, 5 ayes, 0 nays.

**2014-54** The **LIGHTING** bill (4-4) was audited prior to the meeting and approval for payment was moved by Rossley, seconded by Stewart-Barnhart. All in favor, 5 ayes, 0 nays.

**2014-55** The **WATER** bills (14-19) were audited prior to the meeting and approval for payment was moved by Stewart-Barnhart, seconded by Rossley. All in favor, 5 ayes, 0 nays.

**2014-56** The **SEPTIC** bills (10-13) were audited prior to the meeting and approval for payment was moved by Brown, seconded by Rossley. All in favor, 5 ayes, 0 nays.

**2014-57** The **HIGHWAY** bills (39-55) were audited prior to the meeting and approval for payment was moved by Rossley, seconded by Stewart-Barnhart. All in favor, 5 ayes, 0 nays.

Councilman Brown asked about the boiler repair at the Highway Garage. Highway Superintendent Weber said that a gasket went bad in the heat exchanger.

Discussion on the 1998 Mack, tabled from the March meeting. Highway will remove plow parts and sander parts. The truck will be put on an on-line auction site. Highway Superintendent Weber can accept or reject any bids on this site.

**2014-58** It was moved by Brown, seconded by Wright to declare the 1998 Mack Dump Truck as surplus and to list it on the on-line auction site for \$7,500. All in favor, 5 ayes, 0 nays.

**2014-59** It was moved by Rossley, seconded by Stewart-Barnhart to accept the Highway Material Bids (attached). All in favor, 5 ayes, 0 nays.

Supervisor Molé said that Delaware County has officially taken over ownership and maintenance of the Bovina Road Bridge.

Supervisor Molé announced that swimming lessons will once again be available for Town of Bovina children this summer. The contract between the Town and the Delhi College Pool was signed by Molé.

Supervisor Molé read a letter from the Attorney for the new owner of Brushland Eating House stating that he was going to be applying for a Restaurant Wine (beer and wine) license. Part of the licensing process requires that the local municipality be notified of this intent.

Attorney, Kevin Young and Allyson Phillips from Young/Sommer were introduced by Supervisor Molé. Young was present to address the Right of Way (ROW) issue. He told the Board that there is a Highway Permit wherein property owners apply to do or place things in the ROW. This gives the Town the power to give a permit, which is revocable, temporary and renewable yearly. There can be a fee of \$25.00 or no fee depending on the Board. The idea of the permit is to insure that something won't interfere with traffic flow, snow removal or routine highway maintenance. Young will redraft the law to say that the Highway Superintendent makes recommendations to the Town Board regarding ROW. Board members need to look this over and decide if this is the way they want to proceed. There would have to be a Public Hearing to adopt a Local Law.

Attorney Young looked at the Fireworks Application which the Town put into place in 2013. The Town didn't put an actual Permit in place at the same time and the one he looked at was fine. There were a couple of additions Young recommended be made to the application which the Clerk will handle.

Young said that the Delta Engineering Contract regarding the Highway Building is fairly written and cost effective. He recommends attaching the Towns General Contract Clauses. He said that the Town might want to notify the insurance company and put them on notice regarding the damage to the building and we might have a claim. Delta Engineers fee is \$19,000 and that will take the Town through the fix but is not the cost to fix.

#### ADVISOR REPORTS

FINANCE ADVISOR – Councilwoman Stewart-Barnhart said that she has not met with the bookkeeper due to him being very busy with tax season. It was noted that the bookkeeper has until May 1<sup>st</sup> to complete the Annual Report.

BUILDING ADVISER – Councilman Wright said that one light was fixed in the main room and he noticed that another is out. The light on the stage will be replaced. Wright would like to install a gate at the top of the stairs on the outside of the building to the lower level. He and Councilman Brown will do this.

TRANSFER STATION/PLAYGROUND Adviser – Councilman Rossley said that the overage on C&D for the last quarter of 2013 was \$641.00. He will be updating the signs at the transfer station to reflect the changes in what is, and isn't allowed. There are a few tires there that he will talk to the operator about. Rossley has talked with Benjamin Bros. regarding new mulch for the playground. The price is \$21.00/yd with an \$85.00 delivery charge on 60-yds for a total of \$1,135.00. He will check the State bid price to see if it's a better rate. The mulch will be done as soon as the weather allows. The highway department will be available to spread the mulch. In regards to the spraying for weed control, the extra mulch should smother the weeds. There is the option of more filter fabric.

Councilman Brown asked about a box that was removed from the C&D bin on Saturday. Rossley said that the box was removed and wouldn't go back in. The intent was to leave the box in the bin and fill it.

PLANNING BOARD LIASION – Councilman Brown said that the Planning Board meeting centered on the Brushland Eating House. There was discussion on parking, noise and hours of operation. A menu available for the Board to look at. The other difference is the alcohol.

HIGHWAY SUPERINTENDENT REPORT – Highway Superintendent Weber said that the Bovina Road Bridge is complete; the last bill from the engineering firm was in this months abstract. The CHIPS funding for 2014 is \$127,796, an additional \$13,332 which represents an increase of 11.65%. Weber said that he went to Mechanicsburg to pick up the tools recently. There was about \$20,000 worth of tools which the Town paid \$650 for. These tools were much needed, with a fair amount of metric. Weber is still looking for a truck and has put in for one. The grader is getting the air conditioning fixed; cost for parts is about \$1,350. The backhoe is getting the stabilizer leg fixed. An employee was injured with a chain saw and will be out until May 5<sup>th</sup>. PESH has been here looking into the accident. The men were instructed to wear the PPE gear and they didn't. Some roads are very soft and working them will start as soon as conditions allow, the men have been sweeping the roads.

Councilman Brown asked about use of chainsaw and wearing protective gear and consequences of the write-up for not wearing it. Highway Superintendent Weber said that after the 3<sup>rd</sup> write-up the County discipline is followed. Brown had a filter he took from the Transfer station and asked about it appearing to be pretty clean. Weber said it was an internal filter and they are changed when the outer filter is changed.

Chuck McIntosh asked about the Boards approval of the \$10,000 cost overrun on the Bovina Road Bridge. He said that the Bookkeeper misled the Board in saying that the overrun would be paid 100% by FEMA. McIntosh asked how change orders can be done after the project is complete. He wants figures for the total cost of the bridge, cost to the Town and who's paying for the change orders. Supervisor Molé will get that.

With no further business, the meeting was adjourned at 7:46 PM.

Respectfully submitted,

Catherine Hewitt  
Clerk