

**BOVINA TOWN BOARD**  
**Regular Monthly Meeting**  
**February 11, 2014**

**RESOLUTIONS: 2014 – 26 – 37**

**Board Members Present:** Tina Molé, Supervisor; Evelyn Stewart-Barnhart, Mark Rossley, Kenneth Brown, Gerald Wright, Members of Council; Edward Weber, Highway Superintendent; Catherine Hewitt, Town Clerk  
**Others Present:** Andy Hewitt, Dick Barnhart, Steve Burnett, Jason Lindow, Cheryl/Doug Peterson, Chuck/Roger McIntosh, Roz/Joan/Bill Foster, Peter Manning, Pat Miele, Joe/Connie Dibble, Kevin Rossley, Mel/Marni Greenberg, Kevin Brown, Doug Perrett, Jan Bray, Chris Ingvordsen, Bea Sohni, Marcelo Riera

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

Steve Burnett had asked to be on the agenda and was introduced by Supervisor Molé. Burnett said that his farm on East Bramley Mountain is the only certified organic farm in the area and he sells his produce locally out a farm stand located on his property. The stand is a 10X10 shed and it has come to his attention that there is concern with that shed being in the Town Right-of-Way. Burnett said this is not a Town nor a Community Issue it is personal and he will seek legal action if the intimidation and accusations continue.

**2014-26** It was moved by Brown, seconded by Rossley to approve the minutes of the Organizational Meeting held on January 14, 2014. All in favor, 5 ayes, 0 nays.

**2014-27** It was moved by Rossley, seconded by Stewart to approve the minutes of the January 14, 2014 meeting as amended. All in favor, 5 ayes, 0 nays.

**2014-28** The **GENERAL** bills (2-23) 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.

**2014-29** The **LIGHTING** bill (2-2) 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.

**2014-30** The **WATER** bills (5-9) were audited prior to the meeting and approval for payment was moved by Brown, seconded by Stewart-Barnhart. All in favor, 5 ayes, 0 nays. Councilman Brown asked why there were two NYSE&G bills for the Water District. Councilwoman Stewart-Barnhart said that it might be because there are two buildings. Brown asked if they could be linked to save the meter charge. Supervisor Molé will look into it.

**2014-31** The **SEPTIC** bills (3-6) were audited prior to the meeting and approval for payment was made by Rossley, seconded by Stewart-Barnhart. All in favor, 5 ayes, 0 nays.

**2014-32** The **HIGHWAY** bills (2-32) 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. Councilman Brown asked about the fuel surcharge for the contractor for the Transfer Station and if that could be built in with the new contract.

**2014-33** It was moved by Stewart-Barnhart, seconded by Rossley to reappoint Edward Weber to the Planning Board for the term of January 1, 2014 to December 31, 2018. All in favor, 5 ayes, 0 nays.

**2014-34** It was moved by Stewart-Barnhart, seconded by Brown to appoint Gary Robson to the Board of Assessment Review for the term of February 1, 2014 to December 31, 2018 and John Virga to Zoning Board of Appeals for a term of February 1, 2014 through December 31, 2018. All in favor, 5 ayes, 0 nays.

Councilman Brown asked who approved the tree removal at the water area and whether or not they went through the Board. Highway Superintendent Weber said that Highway was asked, they didn't get to it and Josh Choquette took care of it.

A letter was received from the Delaware County Fair 5K Run/Walk and 10K Run. Supervisor Molé said that she spoke to an attorney and Towns can't make gifts with taxpayer funds. She said that she will donate to this personally on the Town's behalf.

The contractor for Lawn Care was unaware that the second building of the Water District was in the RFP and will include it for 2014. The contractor has said that he is willing to do the Town Lawns and the Septic Field for the same price as 2013.

**2014-35** It was moved by Stewart-Barnhart, seconded by Brown to award the Mow and Care of Town Lawns and Septic Fields to the same contractor, Edward T. Rossley. Price will be \$2,175.00 for Septic Fields and \$3,900.00 for Town Lawns.

Supervisor Molé	Aye
Councilwoman Stewart-Barnhart	Aye
Councilman Brown	Aye
Councilman Wright	Aye
Councilman Rossley	Abstained

There was discussion concerning having more detail on the Code Enforcement Reports. Supervisor Molé will ask that more detail be on the monthly reports.

Supervisor Molé said that there is a copy of the Town Historian's Report available for anyone interested in looking at it.

#### ADVISOR REPORTS

**FINANCIAL ADVISOR** – Councilwoman Stewart-Barnhart said that she met with the Bookkeeper. The end of year transfers will be ready in March. He's going to start working on the Annual Report. The checks from the new company seem fine and he is pleased with them.

**BUILDINGS ADVISOR** – Councilman Wright said that the carpet is in and looks good. There was discussion previously on getting cookware, plates and basic things for the kitchen and spending up to \$500. Wright would like to see this happen.

**TRANSFER STATION/PLAYGROUND ADVISOR** – Councilman Rossley said that the operator is being more vigilant on checking for stickers. He believes that the enclosed C&D box, if managed correctly should be functional. People have asked about knocking C&D down to a 55-gallon limit and Rossley said the signs indicating this have been there for a long time and will be enforced.

Rossley said the playground will need to have weed killer sprayed on it and mulch added in the spring.

**PLANNING BOARD LIASON** – Councilman Brown said that the Planning Board held their Organizational Meeting where Donald Farley was named Chair with Chris Ingvordsen named Secretary for 2014. The Board will be reviewing the Zoning Regulations and Schedule of Use.

**HIGHWAY ADVISOR** – Supervisor Molé said that she has met with Highway Superintendent Weber and turned the report over to him. Weber said that the guiderails on the Bovina Road Bridge were removed and replaced. The County will certify the bridge and take over maintenance of it when this is done. The balance of the bill will be paid to Steven's Excavating when finalized. The highway crew has trained on the chipper and Weber said it is in good repair and will do what they need it to do. The transfer case went out of the '98 Mack and Cole's Truck Parts can't locate a replacement. With that and the new dump body needed for that truck, cost to repair could be \$30,000 to \$35,000. Salvage is about \$5,000. The Town is now on the OGS and Weber has talked to other Superintendents who suggested that he go to see what is coming up and bid on the particular equipment that the Town is interested in. Councilman Brown said Walton just got a truck for \$4,000. Brown asked how many trucks were running currently and Weber said four, as well as the pickup. Brown asked about a truck in a ditch being towed. Weber said the truck broke down on Calhoun Hill and was towed from there; it was never in the ditch. He recommends scrapping the truck and see what comes available. Councilman Wright asked about the final price of the '09 International. Weber said right around \$105,000. Weber said that the pickup truck did not have an extended warranty per se. It was in the bid but

never written up and Country Club Chevrolet said they will honor it. There is another 75,000 miles/2 years on the warranty. Supervisor Molé said that she is waiting for a return call from Lee Margliano regarding the settlement of the highway building and this will be the next priority.

**COMMUNITY CONCERNS:**

Chuck McIntosh said that it sounded like Burnett was taking the farm stand issue personally and there was nothing personal intended. His son-in-law had a pool partially on Septic property and had to remove it. He said he wants everything to be treated equally. His family has allowed ice skating and ball games on their properties and accepted the Town's Certificate of Insurance. He asked Burnett if he should be able to leave the building where it is and he (Riera) had to remove his pool. McIntosh's family owned the property now owned by Burnett and they did the subdivision in the '70's. He loaned his deed map showing the 60 foot right-of-way on the Burnett property for anyone who wanted to look at it.

Burnett said that parking is an issue, he had a parking lot put in and now there should be a survey done. Supervisor Molé said that she had a meeting with Weber, the attorney, the assessor and the property owner (Burnett) and it was determined the original surveyor needs to be contacted. Molé said that raises the question of who will pay for the surveyor.

Jan Bray asked what happened to the dishes and supplies that were in the kitchen prior to the renovation. Councilman Brown said they were donated to CORE in Stamford. Pat Miele said that \$500 won't do much. Councilman Wright said that it is a start. Brown said he doesn't recall any of the silver being taken out.

There has been a septic issue at the pump station on County 6 by McPherson's. Councilman Rossley said that there was a clog there three years ago and there's been a problem ever since. No cleanout was put back in and there are two 90-degree turns there. From the report of Mike Jonker of LVDV - February 8, 2014: John Madeo noted small wet spot on ground around the shut-off and cleanout valve boxes for the E-One pump station on County Route 6. Apparently a small leak there again. There was one there earlier last winter that LaFever repaired and believes there was another one there previous to LVDV taking over. Contacted Ken Aikens of LaFever on Sunday and they are there today (2/10/14) to excavate and repair whatever the problem is found to be.

A broken fitting on the discharge line of the pump station about 6-8 feet out from the tank and approximately 6' deep was found. Temporary repair made to get through the night. Repair will be done with schedule 80 PVC pipe; heavier and stronger with less chance for future breaking than what was there. Jonker hopes that this repair last longer than the previous one did. He said that LaFever will return in the spring to finish grade, seed and mulch the area.

Supervisor Molé said that when LVDV was hired to oversee the septic operations, they indicated that they would hire a local operator and John Madeo has been hired to that position.

**2014-36** It was moved by Wright, seconded by Stewart-Barnhart to go into executive session at 7:15 PM. All in favor, 5 ayes, 0 nays.

**2014-37** It was moved by Wright, seconded by Stewart-Barnhart to come out of executive session at 8:25 PM. All in favor, 5 ayes, 0 nays.

With no further business, the meeting was adjourned at 8:25 PM.

Respectfully submitted,

Catherine Hewitt  
Clerk