

Bovina Town Board
Regular Monthly Meeting
January 14, 2014

RESOLUTIONS: 2014 – 10 – 25

Board Members Present: Tina Molé, Supervisor; Evelyn Stewart-Barnhart, Mark Rossley, Gerald Wright, Kenneth Brown, Members of Council; Edward Weber, Highway Superintendent; Catherine Hewitt, Clerk

Others Present: Vince/Mary Trimbell, Matt Sluiter, Chuck/Brian/Roger/Richard McIntosh, Kevin Brown, Jay Ruccolo, Pat Miele, Richard Barnhart, Andy Hewitt, Karen Brain, Massimo/Lily Vardabasso, Marcelo Riera, Lynne Resch, Don Carlton, John Cianci

Supervisor Molé opened the Regular Monthly meeting of the Bovina Town Board at 6:10 PM.

2014-10 It was moved by Rossley, seconded by Stewart-Barnhart to accept the minutes of the December 10, 2013 meeting as amended. All in favor, 5 ayes, 0 nays.

2014-11 It was moved by Rossley, seconded by Stewart-Barnhart to accept the yearly audit of the Town Bank accounts by the Board. All in favor, 5 ayes, 0 nays.

It was noted that the Bookkeeper will provide a list of the Budget Transfers for the February meeting.

2014-12 It was moved by Wright, seconded by Rossley to approve Supervisor Molé sign the contract with the Delaware County Planning Department for 2014. The cost will remain \$3,500, which is the same as 2013. All in favor, 5 ayes, 0 nays.

There was a discussion on the poor conditions of the dirt roads in town. A number of residents of Brush Hollow asked for answers as to what was going to be done to fix that road. Highway Superintendent Weber said that work on the roads will begin as soon as they can be. With the freeze thaw due to the temperature changes, the roads are experiencing the freeze thaw earlier than usual.

2014-13 WHEREAS, the recent rainfall and alternating warm and cold winter weather has led to very saturated soil conditions which are very susceptible to freeze-thaw action, and

WHEREAS, roads are very susceptible to damage from heavy loads traveling over them during periods of freeze-thaw cycles, and

WHEREAS, the Town feels it is necessary to protect their road infrastructure from damage from freeze-thaw action by limiting heavy loads on roads so designated by the Highway Superintendent as susceptible to freeze-thaw damage, and

WHEREAS, section 1660, Article 41 of the New York State Vehicle and Traffic Law provides a procedure for temporary excluding from any portion of any Town highway any vehicle with a gross weight of over four or more tons or any vehicle with a gross weight in excess of any designated weight on any axle when in the Town's opinion such highways would be materially injured by the operation of any such vehicle thereon,

NOW THEREFORE, BE IT RESOLVED that, the Town Board hereby authorizes the highway superintendent to post a weight limit on any roads he feels may be damaged by heavy loads in accordance with the provisions of said law, said weight limit will be four tons maximum gross weight, including weight of vehicle and load, allowed any axle. Axles that are spaced less than 46 inches apart, center to center shall be considered one axle.

Moved by Rossley, seconded by Stewart-Barnhart

Supervisor Molé	Aye
Councilman Rossley	Aye
Councilwoman Stewart-Barnhart	Aye
Councilman Wright	Nay

2014-14 Highway Superintendent Weber said that the training video is available for the highway crew on the Chipper Shredder. An attorney has looked over the contract with the owner of the chipper and will review one more page. On his being okay with the final page, Supervisor Molé will sign the contract. Moved by Brown, seconded by Wright. All in favor, 5 ayes, 0 nays.

Supervisor Molé said that she gave the Lawn Care and Septic Field Care contracts to the Board to review. The contract can be offered to the same company as last year at the same price. This will be discussed next month.

2014-15 The **GENERAL** bills (185-195) from December 2013 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.

2014-16 The **WATER** bills (52-55) from December 2013 were audited prior to the meeting and approval for payment was moved by Rossley, seconded by Wright. All in favor, 5 ayes, 0 nays.

2014-17 The **SEPTIC** bills (53-56) from December 2013 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.

2014-18 The **HIGHWAY** bills (186-205) from December 2013 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.

2014-19 The **GENERAL** bills (1-16) were audited prior to the meeting and approval for payment was moved by Rossley, seconded by Brown. All in favor, 5 ayes, 0 nays.

2014-20 The **LIGHTING** bill (1-1) was audited prior to the meeting and approval for payment was moved by Rossley, seconded by Wright. All in favor, 5 ayes, 0 nays.

2014-21 The **WATER** bills (1-4) were audited prior to the meeting and approval for payment was moved by Rossley, seconded by Brown. All in favor, 5 ayes, 0 nays.

2014-22 The **SEPTIC** bills (1-2) 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.

2014-23 The **HIGHWAY** bill (1-1) was audited prior to the meeting and approval for payment was moved by Brown, seconded by Rossley. All in favor, 5 ayes, 0 nays.

ADVISOR REPORTS

TRANSFER STATION/PLAYGROUND – Councilman Rossley said that the C&D Box had a broken latch and wasn't at the station last week. He reported that the total cost for the C&D overages for 2013 were \$3,811.47. He said the contract needs to be reviewed when it comes due. He reported that the regular operator will no longer be at the station. Supervisor Molé said that there is still an enforcement issue.

Rossley said that the playground will need mulch in the spring.

FINANCE – Councilwoman Stewart-Barnhart said that she has finished the monthly audit report for 2013 and it is on file in the Clerk's office. She reported that a change at Delaware National Bank with no longer being able to get free checks on business accounts. Her opinion is that it is a large expense for the Town now. The bookkeeper has ordered form another company and will see how the first order works out.

HIGHWAY – Councilman Wright said that he has been getting a lot of phone calls on the road conditions. He talked to an engineer about what can be done. He said that Brush Hollow affects the most people and that from County 5 to the top of the hill is bad. The engineer suggested stone but said it would be a 50/50 chance that it would fix the problem. Supervisor Molé said that there are 55 miles of road in Bovina and 45 miles are dirt. Highway Superintendent Weber said that depending on CHIPS Funding, he will use what he can on all of the roads that need work. Wright asked about the guard rails on the Bovina Road Bridge being replaced. Weber said that the contractor is working on new posts. The ones in now will be removed and new posts installed.

Councilwoman Stewart-Barnhart asked about the monthly report from the Code Enforcement Officer. Supervisor Molé will contact him about that.

Councilman Rossley asked about the Riera pool not being removed by the January 1st deadline. Riera said that he tried and it is frozen to the ground. Supervisor Molé said that he was given sufficient time for removal. Councilman Brown said that there was no harm in giving him extra time. Councilman Wright said he stopped and looked at it and said it's not a risk to the Town at this time. Councilwoman Stewart-Barnhart said that there was an agreement made. Councilman Rossley said that Riera signed papers. Supervisor Molé asked for a motion to have her pursue the next step for violation of this order.

2014-24 Councilman Rossley made the motion to have the Supervisor follow through on the next step for violation of the order, seconded by Stewart-Barnhart.

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

Chuck McIntosh asked if there has been anything done about the Burnett Farm stand issue from October 2013. Supervisor Molé said that she met with Code Enforcement and the structure is too small for him to regulate. McIntosh said that there is a problem with the Riera pool being on Septic property and Burnett's farm stand is on Town property, people are parking on the roadway and that is a liability issue. He said it was brought up in October and nothing has been done.

Supervisor Molé said that she feels that it's time for the personal vendettas to be put aside and the Board start working for the taxpayer.

HIGHWAY SUPERINTENDENT REPORT – Highway Superintendent Weber said that the 1-Ton Pickup had to have repair work done and the warranty is off and there is no extended warranty. Brian McIntosh said that there was an extended warranty purchased. Weber said that the men will be training on the chipper. The '09 International is complete for plowing but needs the pump for the sander and spinner. Weber is working with Graydon Dutcher from Trout Unlimited for the culvert replacement on Miller Avenue. There was a \$60,000 estimate for that culvert two years ago. Weber said the transfer case went on the Mack. The wing on the '96 International is warped and the estimate to repair it is \$2,895. Weber said that on December 5th he contacted Tom Howard of Tom Howard Construction. Howard said he would provide Weber with a written statement and photos if they are available, and has heard nothing since. Supervisor Molé said that she would like to have a meeting with those involved with the building and look into a fix. Councilman Wright is concerned that there is a pipe leaking under the building which may be contributing to the issue. Weber said that Dave Curley will be checking the drains and sewer pipes to see if there is a leak there.

2014-25 It was moved by Stewart-Barnhart, seconded by Rossley for the Highway Superintendent, Supervisor and Council Members to sign the Agreement for Expenditures for CHIPS Funding. All in favor, 5 ayes, 0 nays.

Supervisor Molé said that she heard from Senator Seward on the \$50,000 grant. Seward thinks there may be money in January.

Councilman Brown asked Highway Superintendent Weber for the expenses and purchase price for the '09 International.

With no further business the meeting was adjourned at 7:34 PM.

Respectfully Submitted,

Catherine Hewitt, Clerk