

BOVINA TOWN BOARD  
Regular Monthly Meeting  
May 13, 2014

**RESOLUTIONS: 2014 – 60 – 68**

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

**Absent:** Edward Weber, Highway Superintendent

**Others Present:** Vince/Mary Trimbell, Roger/Chuck/Dick McIntosh, Dick Barnhart, Steve Burnett, Mel/Marni Greenberg, Annette Robbins, Peter Manning, Delaware County Times Reporter; Kevin Rossley, Kevin Brown, Pat Miele, Jack/Joan Nau, Kevin Young, Attorney (late arrival 6:02 PM)

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

**2014-60** It was moved by Brown, seconded by Rossley to table the approval of the minutes of April 8, 2014 for the June Meeting. All in favor, 5 ayes, 0 nays.

Kevin Young, Attorney went over a Local Law Creating a Local Roadway Work/Use Permit Program and Authorizing the Town Board to receive Applications and issue Permits with the Board. The Permit Application will go before the Board and on recommendations of the Highway Superintendent can be granted or denied. The question of liability came up and Young said that the Town's liability is first even with the property owner's liability. Supervisor Molé said that this is a mechanism for the Town Board to issue permission if the Board and Highway Superintendent feel that it is not a hazard and they property owner meets the criteria.

**2014-61** It was moved by Rossley, seconded by Stewart-Barnhart to set the Public Hearing for May 28, 2014 at 6:00 PM at the Community Hall. All in favor, 5 ayes, 0 nays.

**2014-62** The **GENERAL** bills (58-73) were audited prior to the meeting and approval for payment was moved by Brown, seconded by Rossley. All in favor, 5 ayes, 0 nays.

**2014-63** The **LIGHTING** bill (5-5) 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.

**2014-64** The **WATER** bills (19-22) were audited prior to the meeting and approval for payment was moved by Stewart-Barnhart, seconded by Brown. All in favor, 5 ayes, 0 nays.

**2014-65** The **SEPTIC** bills (14-17) were audited prior to the meeting and approval for payment was moved by Rossley, seconded by Brown. All in favor, 5 ayes, 0 nays.

**2014-66** The **HIGHWAY** bills (56-73) 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.

Dick Barnhart, Deputy Highway Superintendent said that the borings at the Highway Garage were done on May 12, 2014 and finished on May 13, 2014. They dug to the footers, the drilling company went in with a probe and there is a gap beneath the office of about 15 feet diagonally. There is water in there but it is not from the heating system. More information should be available at the June meeting.

Supervisor Molé told Chuck McIntosh that there have been three Worker's Comp cases in the last year. She also asked the Bookkeeper to give McIntosh a total on the cost of the Bovina Road Bridge. Bookkeeper Joe

Hanley said that the total paid to date is \$325,116.63. The \$10,100 overrun has not been billed yet. McIntosh said that the other part of his question was what the Town's share of this total cost was. Hanley said it was 25% of the cost and he is unsure if the Town will be responsible for 25% of the \$10,100.

Supervisor Molé said that the Delaware Opportunities Welfare to Work Program will once again be mowing the five older cemeteries in the Town. The expense to the Town will be the possible purchase of a piece of equipment for the program.

Molé said that there have been two violators at the Transfer Station recently, one dumping C&D and the other left garbage. Both have been sent letters asking that they not dump during hours the Station is not open.

**2014-67** It was moved by Wright, seconded by Rossley to have Charles McIntosh removed as a signatory on the Town accounts and to have Evelyn Stewart-Barnhart added as a signatory.

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

A Service Contract was received from C.E.Kiff for the furnace in the Community Hall. Bookkeeper Joe Hanley will get three estimates for this and bring them to the June meeting.

**2014-68** It was moved by Brown, seconded by Rossley to declare the old computer from the Clerk's office surplus. Brown said he was agreeing with the addition that the hard drive be pulled and destroyed. The Clerk said she has looked into that and it will be done properly. All in favor, 5 ayes, 0 nays.

#### **ADVISER REPORTS**

**Finance Adviser** – Councilwoman Stewart-Barnhart met with Bookkeeper Joe Hanley. The Annual Report will be finished by the end of May. She said that propane prices are up with Amerigas and Hanley will be looking at Mirabito who has the state bid. Ulster Uniform can put an employee's uniforms on hold when the employee is out for a period of time. They will be notified to continue when the employee returns. Stewart-Barnhart and Hanley will be looking at price comparisons for electric, for better prices.

Supervisor Molé has put in a grant application for \$50,000 with Senator Seward and it was specified that it was for repair of the highway garage. Bookkeeper Hanley recommends advising New York City that the Town may be using Good Neighbor Fund money for that repair.

**Playground/Transfer Station Adviser** – Councilman Rossley said that the mulch is done on the playground. Supervisor Molé thanked Rossley for taking care of the sod removal on the playground before the mulch was put in.

Rossley said that there were two other violators at the Transfer Station in addition to the two mentioned earlier. He spoke with both of them. He has had a meeting with the owner of Bloomville Disposal as well as Sue McIntyre at the Delaware County Solid Waste Facility. He went over suggested changes for the Transfer Station Contract from both of the meetings. It was suggested that there be insurance with up to 1 million liability added to the contract. Rossley said that there are about thirty tires at the station that accumulate during the week and he suggested going back to twice a year for Tire Day. Tire Day will be June 7<sup>th</sup> for this spring and again in the fall.

Rossley brought up the need to have LaFever Excavating come in and finish the backfill and reseeded at the pump station that was fixed in the winter. Supervisor Molé will contact LaFever's on this.

**Buildings Adviser** – Councilman Wright said that the Community Hall didn't winter well on the wind side of the building and said that something should at least be done about that side. Supervisor Molé thinks the entire building should be done and should know better on finances in June. Wright said that there is a broken board on the upper water storage building that should be fixed. There are also two trees that are broken off at the top on the drive at the same location and he thinks that the tops should be removed at least, and if the tree is dead take the whole tree. Councilman Rossley said that there are trees around the Community Hall that are scraping on the building that should be removed as well if the adjoining property owners are willing. Wright said that if the trees are not on Town property notification is made to the adjoining property owner's insurance company in writing. Richard Brannen has fixed the lights that were a problem in the Hall.

**Highway Adviser** – Supervisor Molé said that Highway Superintendent Weber has purchased a 2009 Freightliner all-wheel drive truck with 5,800 miles from the Government program. Cost of the truck was \$4,000 and trucking was about \$5,600. She said that Highway Superintendent Weber asked her to publicly thank Deputy Highway Superintendent Barnhart and the highway crew for going above and beyond while he's been out. Councilman Wright asked about the trucks being loaded with sand in April. Deputy Superintendent Barnhart said that some roads had to be sanded and that is why some of the roads were reswept.

**Planning Board Liaison** – Councilman Brown said that the Public Hearing on May 21<sup>st</sup> for Brushland Eating House dealt mostly with parking and noise. There were provisions to double parking in 6 months to a year. The Planning Board voted to issue the Special Use Permit with the parking provision included. The Board will be looking at Zoning Regulations.

#### COMMUNITY CONCERNS

Joan Nau would like something done with a property near hers in regards to a barn that was torn down and left in a pile, old vehicles and other things she feels may be hazardous. She thinks this may be a safety issue as well as a health hazard and it affects the neighboring properties. Supervisor Molé will have Building Code Enforcement Officer Downin look into the property.

Richard McIntosh said that OSHA requirements are, 18 years of age, mandatory chaps, hardhat/ear muffs, and safety screen/eye protection. Supervisor Molé said that PESH has been here.

Chuck McIntosh asked if the Local Law the Board is looking at has any provisions for someone who wants to put something on Town property that is not in a ROW. He's hearing rumors and accusations about him. He said he did not call OSHA on the Town, he does not have a puppet on the Town Board and he does not have a mole in the Highway Department. He said that regarding Burnett's problem, there is nothing personal between them, he only brought it up when there was a problem with his son-in-law's pool. He wants all to be treated equally. In regards to the cost of the bridge, he is interested for himself and the Town.

Steve Burnett thanked the Board for the ROW issue. He said that if his building is a hazard, he will certainly take care of it. It is important for all to know that he didn't build the farm stand to cause a problem. He wants to see new people to the area be supported.

With no further business the meeting was adjourned at 7:25 PM.

Respectfully submitted,

Catherine Hewitt, Town Clerk