

BOVINA TOWN BOARD
Dog Law Public Hearing
Regular Monthly Meeting
April 14, 2015

RESOLUTIONS: 2015 – 53- 63

Board Members Present: Tina Molé, Supervisor; Evelyn Stewart Barnhart, Mark Rossley, Kenneth Brown, Gerald Wright, Members of Council; Edward Weber (late arrival 6:02 PM), Highway Superintendent, Catherine Hewitt, Clerk

Others Present: Andy Hewitt, Roger/Dick/Chuck/Brian/Ira McIntosh, Kevin Brown, Dick Barnhart, Jay Renner, Cheryl Patterson, Delaware County Times Reporter; Joe/Connie Dibble, Michael Kaufman, Chris Ingvorsen, Annette Robbins, Carol Brannen, Pat Miele, Kevin Rossley, Doug Perrett

The Public Hearing regarding the proposed dog law was opened at 6:00 PM. Ira McIntosh from Andes said that under “Section 6, Penalties”, the penalty for the first offense is reasonable but he thinks the second and third offense should be higher. He also said that the use of the word “may” should be changed to “shall” in regards to the dog control officer seizing a dangerous dog. Roger McIntosh said that “Section 4, Restrictions” does not say under Agriculture and Markets Law. It was determined that this section is the language from Ag & Markets Law. Chuck McIntosh asked if Animal Control has to go by the Local Law and the Ag & Markets Law. The answer was yes.

With no further comments, the Public Hearing was closed at 6.09 PM.

Supervisor Molé opened the Regular Monthly meeting at 6:09 PM followed by the Pledge of Allegiance.

2015-53 It was moved by Brown, seconded by Rossley to accept the minutes of the March 10, 2015 meeting as amended. All in favor, 5 ayes, 0 nays.

2015-54 The **GENERAL** bills (54-68) were audited prior to the meeting and approval for payment was moved by Rossley, second by Stewart Barnhart. All in favor, 5 ayes, 0 nays.

2015-55 The **LIGHTING** bill (3-3) were audited prior to the meeting and approval for payment was moved by Wright, seconded by Brown. All in favor, 5 ayes, 0 nays.

2015-56 The **WATER** bills(12-16) 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.

2015-57 The **SEPTIC** bills (12-14) were audited prior to the meeting and approval for payment was moved by Wright, seconded by Rossley. All in favor, 5 ayes, 0 nays.

2015-58 The **HIGHWAY** bills (34-51) 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 said that there was discussion on a generator a few months ago for the Water Department and asked what the status was on that. Highway Superintendent Weber said it is still at the highway garage because it needed minor repairs due to it being decommissioned. Brown said that there is an inspection coming up at the Water Department and having the generator done sooner rather than later would be good. Councilman Wright asked about the CHIPS agreement and that Highway Superintendent Weber mentioned other gravel for other roads. Weber said yes. Wright asked if there is a list and Weber responded that there’s

no list, gravel will be used where it is needed. Councilman Brown asked if there is a list of priorities as Weber sees them. Weber said that there is not a list.

Councilman Rossley had a topography map of the land around the transfer station. He suggested that the Board walk the property. Supervisor Molé said that having that land logged is a professional service and does not have to be bid. The Town would hire a professional logger.

2015-59 It was moved by Brown, seconded by Wright to have Highway Superintendent Weber rebid a crushed limestone product for grit. Bids will be accepted up to 11:00 AM on May 12, 2015, bids will be opened at 12:00 PM on May 12, 2015 and bids will be awarded at the Regular Monthly Board Meeting, May 12, 2015 at 6:00 PM. All in favor, 5 ayes, 0 nays.

2015-60 It was moved by Stewart Barnhart, seconded by Wright to accept the remaining Highway Material Bids. All in favor, 5 ayes, 0 nays.

Supervisor Molé said that there was a claim for the Highway Garage sent to NYMIR (Town Insurance) and it was denied. The Town Attorney has sent a letter to the Insurance Company in regards to that denial. The Insurance Company is now hiring an independent Engineer.

Supervisor Molé said that there is a burn ban in effect from March 16, 2015 through May 16, 2015. Kevin Brown said that it can be extended.

ADVISOR REPORTS

FINANCE – Councilwoman Stewart Barnhart said that she spoke with the Bookkeeper on the phone. They discussed changing the electric company on the Town accounts. She noted that the electric charge has been dropped this month. The bookkeeper is going to be doing comparisons for next month. She noted that the Annual Report is due May 1, 2015.

BUILDINGS – Councilman Wright said that the fire escape is mounted on concrete footers, one inside leg is off the footer and should be repaired. Councilman Rossley asked about the condition of the others and Wright said that one is on the other off.

TRANSFER STATION/PLAYGROUND – Councilman Rossley said that clean-up is going on at the station now that the snow is off. It was decided to have tire day in the fall and accept tires for a couple of weeks. Rossley will remind the Bloomville Disposal to start picking up the garbage at the Playground for the summer. Supervisor Molé asked about putting a receptacle outside the community hall for cigarette butts. Rossley will see what he can do for this.

PLANNING BOARD LIASION – Councilman Brown said that a Public Hearing was held at the March Planning Board for the Hilson Property becoming a Café/Hotel. There was a second Public Hearing regarding the Town taking over the lands of the Playground from the Fire District. Regina Haran was in attendance to ask questions about possibly subdividing property owned by her family.

HIGHWAY SUPERINTENDENT – Highway Superintendent Weber said that the roads are settling and that some culverts will need to be replaced. The crew has started sweeping the roads. The grader is repaired. He will look at a JD6300 with a mower for road sides. As of April 9, 2015 the cost of the Freightliner is \$46,637 with labor. Weber thanked the crew for helping to put the truck together. The total value of the truck, if purchased new would be \$240 to \$260 thousand according to a Tracy Road Salesman. Nothing on the pick-up or backhoe. Weber said there is no increase in CHIPS funding, \$114,978, but winter recovery will increase from

\$14,000 to over \$16,000. The Bovina Road Bridge reimbursement total is \$334,172. There is still ice in the catch basins at the highway garage which is holding up Lamont for looking at the storm-water.

Councilman Brown asked if the grader was functional and Weber responded that it is. Brown said that he understood that the injectors and water pump were damaged. Weber said that whoever told Brown that is incorrect. Weber said that the fuel injectors, water pump and tensioner were rebuilt or replaced.

COMMUNITY CONCERNS:

Michael Kaufman said that he is the closest full time resident to the transfer station property and his hope is that the Town neither sell nor log the land. If logging is done it should be very selective. He and his wife use the property for walking, hunters use it, and there is a snowmobile trail thru there. Supervisor Molé said that this is very preliminary and no decisions have been made.

Dick McIntosh asked about the increase in price on the lawn care bid. Rossley said he is unsure what it was and that it is \$4,500 this year, which is a \$600 increase from last year. McIntosh asked if Rossley voted on accepting the lawn care bid. Rossley responded that he did vote, he was voted in to sit on the board and vote on Town business. McIntosh asked if Rossley didn't feel that was a conflict of interest, and considered nepotism. Rossley asked if McIntosh had a definition of nepotism.

Jay Renner said that the rate for the electric went down because Steve Dare came in, met with the bookkeeper and got the accounts back on guaranteed savings plan. Councilwoman Stewart Barnhart asked about the guaranteed savings being variable and Renner said it was. She asked if the rates went up because Hanley didn't respond to the savings letters and Renner said yes.

Chuck McIntosh asked about the FEMA reimbursement on the Bovina Road Bridge. He asked what the total cost was and said that the Town was responsible for paying twenty-five percent of the cost. Highway Superintendent Weber said that he thought that didn't hold when the bridge had to be bigger than the original plan. Supervisor Molé said the Town is getting more back than originally thought. Figures will need to come from the Bookkeeper. McIntosh said that \$109,000 for that project came from CHIPS and asked if the Town will get that back. Chuck McIntosh asked Dog Control Officer Ed Weber how many dog calls he gets a year. Weber said 15/20. McIntosh asked how many Weber investigates and Weber questioned what he means by investigates to which McIntosh said calls that Weber goes out and seizes a dog and does he keep a log book. Weber said that yes his calls are logged, he is inspected every year by Ag & Markets. Weber said that the last time a dog was seized was a couple years ago.

Roger McIntosh said that the dog owners should be responsible for cleaning up after their dog.

2015-61 It was moved by Stewart Barnhart, seconded by Rossley to move to Executive Session at 7:33 PM. All in favor, 5 ayes, 0 nays.

2015-62 It was moved by Rossley, seconded by Stewart Barnhart to come out of Executive Session at 8:31 PM. All in favor, 5 ayes, 0 nays.

The meeting was called back to order at 8:31 PM.

2015-63 It was moved by Stewart Barnhart, seconded by Brown to accept a missed bill being added to the Highway Abstract. All in favor, 5 ayes, 0 nays.

With no further business, the meeting was adjourned at 8:40 PM.

Catherine Hewitt, RMO Clerk