

MINUTES OF THE TOWN BOARD MEETING OF FEBRUARY 9, 2011

PRESENT:	Supervisor	Teresa Dean
	Council	Edward Fairbrother
		Andy Gillette
		Mike Smith
	Attorney	Frederick Ahrens Jr.
	Town Clerk	Linda Cross
ABSENT:	Council	Marcia Hudock

Supervisor Dean called the Town Board meeting to order at 4:30 p.m. and requested those present to participate in the Pledge of Allegiance.

CONCERNS OF THE PEOPLE - Judy Zimmerman, 29 Churchill Place, wanted to thank Larry Wagner, Commissioner of the Department of Public Works, for the adjustments to snow removal made on Churchill Place.

Dave Manchester, Chemung County Legislator stated he attended the New York State Association of Counties (NYSAC) meeting in Albany, and advised the Town Board of the messages delivered from Albany.

REPORTS

Supervisor Dean stated the following reports for February 2011 have been received and are on file in the office of the Town Clerk:

Town Clerk's Monthly Report, Justice Court Monthly Report, Community Center Monthly Report, Department of Public Works Monthly Report, Assessor's Monthly Report, Supervisor's Fund Balance Report.

Supervisor Dean reported the following:

- Proposed FEMA map will be discarded and started over.
- Association of Towns Conference will be February 20th – 23rd. Supervisor will be available via her cell phone, if needed.
- STEG Annual Economic Meeting will be held Wednesday, February 23, 2011.
- Fire Protection Contract for Town and Country ends this year.
- Town Board members were reminded to keep track of their time for retirement reporting purposes.

MINUTES OF THE TOWN BOARD MEETING OF FEBRUARY 9, 2011

OLD BUSINESS

RESOLUTION NO.96-11
SOUTHERN TIER ECONOMIC GROWTH AGREEMENT APPROVED

Resolution by: Fairbrother
Seconded by Smith

WHEREAS the Town Board has determined that an agreement with Southern Tier Economic Growth Inc. (STEG) for the purposes of providing continued economic growth and development services would be a benefit to the Town, and

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5(c) (20) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the Town Supervisor to enter into an agreement with Southern Tier Economic Growth Inc. for the purpose of providing continued economic growth and development services for calendar year 2011 at a cost not to exceed \$5,000.00.

CARRIED: AYES: Gillette, Fairbrother, Smith, Dean
NAYS: None ABSENT: Hudock

NEW BUSINESS

RESOLUTION NO. 97-11
WILLIAMSON LAW BOOK COMPANY CONTRACT APPROVED

Resolution by: Dean
Seconded by: Gillette

WHEREAS the Town Clerk and Tax Collector currently have the Williamson Law Book Company software, and

WHEREAS said Annual Software Support contract agreement expired on January 1, 2011, and

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5(c) (20) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the Town Supervisor to sign the Annual Software Support contract with Williamson Law Book Company at a cost not-to-exceed \$770.00 commencing January 1, 2011 through December 31, 2011.

CARRIED: AYES: Gillette, Fairbrother, Smith, Dean
NAYS: None ABSENT: Hudock

MINUTES OF THE TOWN BOARD MEETING OF FEBRUARY 9, 2011

RESOLUTION NO. 98-11
SPECIAL USE PERMIT PUBLIC HEARING SET FOR
WILLIAMS HONDA APPROVED

Resolution by: Smith
Seconded by: Fairbrother

WHEREAS the Planning Board has received an application from Williams Honda Dealerships for site plan approval to permit a vehicle dealership located on County Route 64, Tax Parcel 58.03-1-52.1, 58.3-1-45, 58.03-1-46, & 58.03-1-47, and

WHEREAS the property is located in the Business Retail (BR) district near Food Bank of the Southern Tier, and

WHEREAS vehicle sales is a permitted use in the BR district with approval of the Planning Board and Special Permit approval of the Town Board, and

BE IT THEREFORE RESOLVED the Town Board sets a public hearing for February 23, 2011 at 7:02 p.m. or as soon thereafter as possible to allow and consider comments on the proposed Special Use Permit submitted by Williams Honda Dealerships.

CARRIED: AYES: Gillette, Fairbrother, Smith, Dean
NAYS: None ABSENT: Hudock

RESOLUTION NO. 99-11
DAVIS-ULMER AMENDMENT APPROVED

Resolution by: Dean
Seconded by: Gillette

WHEREAS testing and inspection of the sprinkler systems and backflow preventers is required by New York State regulations, and

WHEREAS at the request of the Commissioner of Public Works, Davis-Ulmer, Inc. has submitted a proposal to provide inspection, testing, and preventative maintenance for the sprinkler systems and backflow preventers in the Community Center and two Department of Public Works buildings, and

WHEREAS the inspection, testing, and preventative maintenance of the sprinkler system will be performed in accordance with 901.6 of the Fire Code of New York State and Chapters 5 and 12 of NFPA 25-1998 edition, and

WHEREAS the Town Board approved in Resolution No. 72-11 dated January 3, 2011 to authorize the Commissioner of Public Works enter into a maintenance agreement with Davis-Ulmer, Inc for the annual amount of \$1100.00 for purpose of providing inspection, testing,

MINUTES OF THE TOWN BOARD MEETING OF FEBRUARY 9, 2011

RESOLUTION NO. 99-11, DAVIS-ULMER AMENDMENT APPROVED continued

and, preventative maintenance on the sprinkler systems and backflow preventers within said buildings, and

WHEREAS for environmental review, purchasing is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5 (c) (20) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the revision of the Resolution No. 72-11 to Commissioner of Public Works to revise the agreement with Davis-Ulmer, Inc. in the amount of \$1150.00 annually for the Community Center and two Department of Public Works buildings.

CARRIED: AYES: Gillette, Fairbrother, Smith, Dean
NAYS: None ABSENT: Hudock

RESOLUTION NO. 100-11
HVAC MAINTENANCE AGREEMENT APPROVED

Resolution by: Fairbrother
Seconded by: Smith

WHEREAS the Town has utilized the services of Air Temp to provide maintenance for the HVAC systems, and

WHEREAS the Commissioner of Public Works recommends the Town Board to renew a full service agreement with Air Temp Heating and Air Conditioning, Inc for the purpose of providing full service maintenance on the HVAC systems within the Community Center, Town Hall, Post Office and DPW buildings, and

WHEREAS Air Temp Heating and Air Conditioning, Inc. has submitted an "Addendum to Agreement" for contracting to provide full maintenance service, and

WHEREAS for environmental review, purchasing is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5 (c) (20) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the Commissioner of Public Works to enter into an agreement with Air Temp Heating and Air Conditioning, Inc. for the purpose of providing full service maintenance on the HVAC systems for the Community Center, Town Hall, Post Office and DPW buildings at a cost of \$1140.00 monthly for 2011.

CARRIED: AYES: Gillette, Fairbrother, Smith, Dean
NAYS: None ABSENT: Hudock

MINUTES OF THE TOWN BOARD MEETING OF FEBRUARY 9, 2011

CORRESPONDENCE

Program Updates/Time Warner Cable. A letter was received from Time Warner Cable, dated February 1, 2011, regarding their programming changes.

Petition for Extension of Water District #2. A Petition was received February 3, 2011, from Smith Valley Property owners requesting the extension of Water District No.2.

EXECUTIVE SESSION: Councilperson Fairbrother made a motion, seconded by Councilperson Smith to enter into Executive Session at 4:46 p.m. to discuss a particular personnel matter. All in favor except Councilperson Hudock who was absent, motion carried.

Supervisor Dean reconvened the Town Board Meeting at 5:17 p.m.

Councilperson Fairbrother made a motion, seconded by Councilperson Smith, to adjourn the Town Board meeting at 5:18 p.m. All in favor, except Councilperson Hudock who was absent, motion carried.

Date approved: _____

Linda J. Cross
Town Clerk