

MINUTES OF THE TOWN BOARD MEETING OF JULY 24, 2013

PRESENT:           Supervisor           Teresa Dean  
                  Council               Edward Fairbrother  
                                  Mike Saglibene  
                                  Mike Smith  
                  Attorney           Fredrick Ahrens  
                  Town Clerk       Linda Cross

ABSENT:           Council               Andy Gillette

Supervisor Dean called the Water Board meeting to order at 7:00 p.m. and requested those present to participate in the Pledge of Allegiance.

**NEW BUSINESS**

RESOLUTION NO. 134-13  
PUBLIC HEARING WATER DISTRICT NO. 1  
EXTENSION REQUEST APPROVED

Resolution by: Fairbrother  
Seconded by: Smith

WHEREAS a petition dated May 13, 2013, for an extension to Water District No. 1 has been presented and filed with the Water Board, and

WHEREAS the boundaries of the proposed extension to said district are set forth and described in the following:

All that tract or parcel of land situate in the Town of Big Flats, County of Chemung, State of New York, all as shown on a plan entitled "Map Plan and Report for Town of Big Flats Water District 1 & 3 Boundary Extension", prepared by Larson Design Group dated April 22, 2013, Project No. 6632-006 and being more particularly bounded and described as follows:

(Proposed Development)

All the lands contained within the following described boundary:

BEGINNING at a point on the southwest corner of Tax Map Parcel No. (TMP#) 58.01-1-69.1;

Thence, northeasterly, along the west line of said TMP# 58.01-1-69.1, 58.01-1-69.2 to the northwest corner thereof;

Thence, northeasterly, along the north line of said TMP# 58.01-1-69.2 to the west line of TMP# 58.01-1-66;

Thence, southwesterly, along the west line of said TMP# 58.01-1-66, to the southwest corner thereof;

Thence, southeasterly, along the south line of said TMP# 58.01-1-66 and along the north line of TMP# 58.01-1-61.2 to the northeast corner thereof;

MINUTES OF THE TOWN BOARD MEETING OF JULY 24, 2013

RESOLUTION NO. 134-13, PUBLIC HEARING WATER DISTRICT NO. 1 EXTENSION  
REQUEST APPROVED continued

Thence, southeasterly, crossing Hickory Grove Road until reaching the west line of said  
TMP# 58.01-2-27.2;

Thence, northeasterly, along the west line of said TMP# 58.01-2-27.2, approximately 879  
feet;

Thence, southeasterly, at a 90° angle, approximately 630 feet;

Thence, northeasterly, at a 136° angle, approximately 359 feet;

Thence, southwesterly, at a 66° angle, approximately 323 feet;

Thence, southeasterly, at an 89° angle, approximately 318 feet;

Thence, easterly, at a 159° angle, approximately 470 feet;

Thence, northeasterly, at a 141° angle, approximately 227 feet, to the east line of said TMP#  
58.01-2-27.2;

Thence, south, approximately 494 feet, along the east line of said TMP# 58.01-2-27.2, to  
southeast corner thereof;

Thence, westerly, along the south line of said TMP# 58.01-2-27, to the northwest corner of  
said TMP# 58.01-2-28.2;

Thence, northwesterly, along the south line of said TMP# 58.01-2-27, to the northwest corner  
of said TMP# 58.01-2-35.112;

Thence, southwesterly, along the west line of said TMP# 58.01-2-35.112 and TMP# 58.01-2-  
35.12, to the southwest corner of said TMP# 58.01-2-35.12;

Thence, northwesterly, along the south line of said TMP# 58.01-2-27, crossing Hickory  
Grove Road, and continuing northwesterly, along the south line of said TMP# 58.01-2-27, to  
the southwest corner of TMP# 58.01-1-61.2;

Thence, northeasterly, along the east line of TMP# 58.01-1-67.1, to the northeast corner  
thereof;

Thence, northwesterly, along the south line of said TMP# 58.01-1-69.1 to the POINT OF  
BEGINNING.

(Existing Development)

All the lands contained within the following described boundary:

BEGINNING at a point on the northwest corner of Tax Map Parcel No. (TMP#) 58.03-1-  
1.11;

Thence, easterly, along the north line of said TMP# 58.03-1-1.11, to the northern most corner  
thereof;

Thence, southeasterly, radically, along the north line of said TMP# 58.03-1-1.11, and  
continue southeasterly along the north line of said TMP# 58.03-1-1.11, to the southeast  
corner of said TMP# 58.01-2-34;

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RESOLUTION NO. 134-13, PUBLIC HEARING WATER DISTRICT NO. 1 EXTENSION  
REQUEST APPROVED continued

Thence, northeasterly, along the east line of said TMP# 58.01-2-34, to the northeast corner thereof;

Thence, southeasterly, along the north line of said TMP# 58.03-1-1.11, to the northwest corner of said section block lot number 05800300010011210000;

Thence, southeasterly, following the property line of section block lot number 05800300010011210000, to the southeast corner of said TMP# 58.03-1-1.11;

Thence, southwesterly, along the south line of said TMP# 58.03-1-1.11, to the southwest corner thereof;

Thence, northwesterly, along the west line of said TMP# 58.03-1-1.11, to the south line of said TMP# 58.03-1-1.3;

Thence, easterly, along the south line of said TMP# 58.03-1-1.3, to the southeast corner thereof;

Thence, northerly, along the east line of said TMP# 58.03-1-1.3, to the northeast corner thereof;

Thence, westerly, along the north line of said TMP# 58.03-1-1.3, to the west line of said TMP# 58.03-1-1.11;

Thence, north, along the west line of said TMP# 58.03-1-1.11, to the southwest corner of said TMP# 58.03-1-1.2;

Thence, east, along the south line of said TMP# 58.03-1-1.2, to the southeast corner thereof;

Thence, north, along the east line of said TMP# 58.03-1-1.2 to the POINT OF BEGINNING,  
and

WHEREAS a map, plan and report detailing said extension accompanied said petition, dated May 13, 2013, entitled "Map Plan and Report for Town of Big Flats Water District 1 & 3 Boundary Extension", prepared by Larson Design Group dated April 22, 2013, Project No. 6632-006, a copy of which is on file with the Town Clerk; and

WHEREAS the improvements proposed consist of the construction of a water system serving said proposed extension area at the approximate locations and in the manner set forth and described in said map, plan and report, and

WHEREAS the maximum amount proposed to be expended for such improvement is \$0; the estimated cost of hook up fees is \$225.00 and the estimated cost of the extension to the typical property and, if different, the typical one or two family home, \$0, the annual estimated usage charge is \$300.00, and

WHEREAS no financing is necessary to complete such improvement, and

WHEREAS the above action is an Unlisted action for the purposes of SEQRA, with the Town of Big Flats Water Board hereby being declared the lead agency thereon; and

MINUTES OF THE TOWN BOARD MEETING OF JULY 24, 2013

RESOLUTION NO. 134-13, PUBLIC HEARING WATER DISTRICT NO. 1 EXTENSION REQUEST APPROVED continued

WHEREAS the Town will make a determination if the implementation of the subject action will result in any significant adverse impact on the environment upon the completion of the public hearing set herein; and

THEREFORE NOW BE IT RESOLVED pursuant to Town Law Section 193 that the Water Board of the Town of Big Flats shall meet at the Town Hall, located at 476 Maple Street, Town of Big Flats, on the 14<sup>th</sup> Day of August 2013, at 4:30 o'clock P.M. for the purpose of conducting a public hearing on the proposal to extend Water District No. 1 as specified above, at which time and place all persons interested in the subject thereof may be heard concerning the same, and

BE IT FURTHER RESOLVED that the Town Clerk is hereby ordered and authorized to publish a copy of this Order in the official paper for the Town, as required and provided for by law.

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

RESOLUTION NO. 135-13  
PUBLIC HEARING WATER DISTRICT NO. 3  
EXTENSION REQUEST APPROVED

Resolution by: Smith  
Seconded by: Saglibene

WHEREAS a petition dated May 13, 2013, for an extension to Water District No. 3 has been presented and filed with the Water Board, and

WHEREAS the boundaries of the proposed extension to said district are set forth and described in the following:

All that tract or parcel of land situate in the Town of Big Flats, County of Chemung, State of New York, all as shown on a plan entitled "Map Plan and Report for Town of Big Flats Water District 1 & 3 Boundary Extension", prepared by Larson Design Group dated April 22, 2013, Project No. 6632-006 and being more particularly bounded and described as follows:

All the lands contained within the following described boundary:

BEGINNING at a point on the southwest corner of Tax Map Parcel No. (TMP#) 58.01-1-66;

Thence, northeasterly, along the west line of said TMP# 58.01-1-66, to the northwest corner thereof;

Thence, southeasterly, along the north line of said TMP# 58.01-1-66, to the southeast corner of said TMP# 57.02-2-54;

MINUTES OF THE TOWN BOARD MEETING OF JULY 24, 2013

RESOLUTION NO. 135-13, PUBLIC HEARING WATER DISTRICT NO. 3 EXTENSION REQUEST APPROVED, continued

Thence, northeasterly, along the west line of said TMP# 58.01-1-66, to northwest corner thereof;

Thence, southeasterly, along the north line of said TMP# 58.01-1-66, to the northeast thereof;

Thence, southwesterly, along the east line of said TMP# 58.01-1-66, to the spot directly perpendicular from the southwest corner of said TMP# 58.01-1-61.11 across Hickory Grove Road;

Thence, southeasterly, across Hickory Grove Road, continuing to the southeast corner of said TMP# 58.01-1-61.11;

Thence, northeasterly, along the west line of said TMP# 58.01-2-27.1, to southwest corner of said TMP# 58.01-2-18;

Thence, southeasterly, along the south line of said TMP# 58.01-2-18 and TMP# 58.01-2-20, to the southeast corner of said TMP# 58.01-2-20;

Thence, northeasterly, along the east line of said TMP# 58.01-2-20, to the northeast corner of said TMP# 58.01-2-27.1;

Thence, south, along the east line of said TMP# 58.01-2-27.1, to the northern limits of the Town of Big Flats Water District #1;

Thence, westerly, along the boundary of Water District #1 to the POINT OF BEGINNING, and

WHEREAS a map, plan and report detailing said extension accompanied said petition, dated May 13, 2013, entitled "Map Plan and Report for Town of Big Flats Water District 1 & 3 Boundary Extension", prepared by Larson Design Group dated April 22, 2013, Project No. 6632-006, a copy of which is on file with the Town Clerk; and

WHEREAS the improvements proposed consist of the construction of a water system serving said proposed extension area at the approximate locations and in the manner set forth and described in said map, plan and report, and

WHEREAS the maximum amount proposed to be expended for such improvement is \$0; the estimated cost of connection fee is \$225.00 and the estimated cost of the extension to the typical property and, if different, the typical one or two family home, \$0, the annual estimated usage charge is \$300.00, and

WHEREAS no financing is necessary to complete such improvement, and

WHEREAS the above action is an Unlisted action for the purposes of SEQRA, with the Town of Big Flats Water Board hereby being declared the lead agency thereon; and

WHEREAS the Town will make a determination if the implementation of the subject action will result in any significant adverse impact on the environment upon the completion of the public hearing set herein; and

MINUTES OF THE TOWN BOARD MEETING OF JULY 24, 2013

RESOLUTION NO. 135-13, PUBLIC HEARING WATER DISTRICT NO. 3 EXTENSION REQUEST APPROVED, continued

THEREFORE NOW BE IT RESOLVED pursuant to Town Law Section 193 that the Water Board of the Town of Big Flats shall meet at the Town Hall, located at 476 Maple Street, Town of Big Flats, on the 14<sup>th</sup> Day of August 2013, at 4:30 o'clock P.M. for the purpose of conducting a public hearing on the proposal to extend Water District No. 3 as specified above, at which time and place all persons interested in the subject thereof may be heard concerning the same, and

BE IT FURTHER RESOLVED that the Town Clerk is hereby ordered and authorized to publish a copy of this Order in the official paper for the Town, as required and provided for by law.

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

Supervisor Dean closed the Water Board Meeting at 7:02 p.m.

**TOWN BOARD**

CONCERNS OF THE PEOPLE – Dave Manchester Chemung County Legislator, 62 Beacon Lane , informed the Town Board of a County budget meeting coming up, regarding the decrease of sales tax and the development of a 5 year Financial Plan.

MINUTES

Councilperson Saglibene made a motion, seconded by Councilperson Fairbrother to approve the minutes of June 26, 2013 as presented. All in favor except Councilperson Gillette was absent, motion carried.

Councilperson Fairbrother made a motion, seconded by Councilperson Smith to approve the minutes of July 10, 2013 as presented. All in favor except Councilperson Gillette was absent, motion carried.

NEW BUSINESS

RESOLUTION NO. 136-13  
VOID/REISSUE CHECK APPROVED

Resolution by: Smith  
Seconded by: Saglibene

WHEREAS a memorandum was received from the Bookkeeper, dated July 9, 2013 requesting authorization to void a specific check, and

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

MINUTES OF THE TOWN BOARD MEETING OF JULY 24, 2013

RESOLUTION NO. 136-13, VOID/REISSUE CHECK APPROVED continued

BE IT THEREFORE RESOLVED the Town Board authorizes the Bookkeeper to void check number#12071 payable to Corning Building Company (CBC) due to an overpayment in the amount of \$1,134.10, and authorize the deletion of Voucher #4002159 dated 6/28/13. A new check will be reissued to CBC for corrected amount.

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

RESOLUTION NO. 137-13  
ABSTRACT OF AUDITED VOUCHERS APPROVED

Resolution by: Saglibene  
Seconded by: Fairbrother

RESOLVE that the Town of Big Flats approve the Abstract of Audited Vouchers for July 2013, vouchers 4002253- 4002337 and order the bills paid, when in funds, for the following:

GENERAL FUND	\$ 68,469.72
HIGHWAY FUND	\$ 57,039.22
WATER DISTRICT #1	\$ 4,101.54
WATER DISTRICT #2	\$ 5,206.70
WATER DISTRICT #3	\$ 1,426.95
WATER DISTRICT #4	\$ 198.90
LIGHTING DISTRICT	\$ 381.76
TRUST & AGENCY	\$ 1,838.08

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

RESOLUTION NO. 138-13  
SPEED LIMIT INVESTIGATION ON SING SING ROAD (CR17) BETWEEN KAHLER  
ROAD N (CR63) AND AVIATION DRIVE APPROVED

Resolution by: Fairbrother  
Seconded by: Smith

WHEREAS the Town of Big Flats has received a request from Andrew Avery, Chemung County Commissioner to reduce the speed limit from 45mph to 35mph on Sing Sing Road (CR17) between Kahler Road N (CR63) and Aviation Drive, and

WHEREAS the Town Board does not have the authority to designate a speed zone for this area, and

MINUTES OF THE TOWN BOARD MEETING OF JULY 24, 2013

RESOLUTION NO. 138-13, SPEED LIMIT INVESTIGATION ON SING SING ROAD (CR17) BETWEEN KAHLER ROAD N (CR63) AND AVIATION DRIVE APPROVED  
Continued

WHEREAS for environmental review purposes, this a Type II action in accordance with SEQRA6NYCRR, Part 617.5(c) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the Town Clerk to request NYSDOT conduct a speed limit investigation between Kahler Road N(CR63) and Aviation Drive.

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

RESOLUTION NO. 139-13  
SPEED LIMIT INVESTIGATION ON CHAMBERS ROAD (CR35) BEGINNING AT SING SING ROAD (CR17) AND NORTH TO THE CATLIN TOWN LINE APPROVED

Resolution by: Smith  
Seconded by: Saglibene

WHEREAS the Town of Big Flats has received a request from Andrew Avery, Chemung County Commissioner to reduce the speed limit from 55mph to 35mph on Chambers Road (CR35), beginning at Sing Sing (CR17) and North to the Catlin Town Line, and

WHEREAS the Town Board does not have the authority to designate a speed zone for this area, and

WHEREAS for environmental review purposes, this a Type II action in accordance with SEQRA6NYCRR, Part 617.5(c) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the Town Clerk to request NYSDOT conduct a speed limit investigation on Chambers Road (CR35), beginning at Sing Sing (CR 17) and North to the Catlin Town Line.

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

Supervisor Dean made a motion, seconded by Councilperson Fairbrother, to enter into Executive Session, to discuss the employment of a particular person. All in favor except Councilperson Gillette was absent, motion carried.

Supervisor Dean reconvened the Town Board meeting at 7:29 p.m.

MINUTES OF THE TOWN BOARD MEETING OF JULY 24, 2013

RESOLUTION NO. 140-13  
PART-TIME CUSTODIAN FOR THE TOWN APPOINTED

Resolution by: Saglibene  
Seconded by: Fairbrother

WHEREAS it has been determined and recommended that a part time custodian be hired for a maximum of 20 hours per week for the Community Center and Town Hall, and

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

BE IT THEREFORE RESOLVED the Town Board, as recommended by the Commissioner of Public Works and Director of Recreation, hereby appoints Ann Stein as a part-time custodian at the rate of pay of \$9.00 per hour not to exceed 20 hours per week effective July 29, 2013.

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

RESOLUTION NO. 141-13  
RECEIVING AND ACCEPTING THE JULY 24, 2013 COMMUNICATION LOG  
APPROVED

BE IT RESOLVED that the following communications were received, accepted and filed by the Town Clerk of the Town of Big Flats and referred to the appropriate Department Head for information and/or action:

June 17, 2013

SAMPO – RE: State Association of Municipal Purchasing Officers. *Referred to: filed with Town Clerk and Bookkeeper.*

July 2, 2013

PERMA – RE: Membership Award. *Referred to: filed with Town Clerk.*

July 3, 2013

CCLD – RE: “Geek the Library”. *Referred to: filed with Town Clerk.*

July 5, 2013

Cornell Local Roads Program – RE: Termination of Local Technical Assistance Program at Cornell University. *Referred to: filed with Town Clerk and Commissioner of Public Works.*

July 8, 2013

County of Chemung Department of Law – RE: Uniform Notice of Claim Act. *Referred to: filed with Town Clerk.*

MINUTES OF THE TOWN BOARD MEETING OF JULY 24, 2013

RESOLUTION NO. 141-13, RECEIVING AND ACCEPTING THE JULY 24, 2013  
COMMUNICATION LOG APPROVED continued

STCRPDB Economic Development Coordinator – RE: ARC 2014 Funding. *Referred to: filed with Town Clerk.*

U.S. Department of Transportation – RE: Aeronautical Study 13-AEA-119-NR. *Referred to: filed with Town Clerk.*

July 11, 2013

Thomas Hall – RE: Telephone Service. *Referred to: filed with Town Clerk.*

New York State Voluntary Defined Contribution (VDC) – RE: Enrollment Guide. *Referred to: filed with Town Clerk.*

July 16, 2013

Sheen Housing – RE: Annual Report from Bishop Sheen Ecumenical Housing Foundation, Inc. *Referred to: filed with Town Clerk.*

Chemung County Youth Bureau & Recreational Services – RE: NYS OCFS Youth Services and Recreation Funding. *Referred to: Youth Coordinator and filed with Town Clerk.*

July 17, 2013

Stavitsky & Associates LLC – RE: Notice of Petition. *Referred to: filed with Town Clerk.*

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

RESOLUTION NO. 142-13  
LETTER OF SUPPORT FOR A GRANT TO THE REGIONAL ECONOMIC  
DEVELOPMENT COUNCIL APPROVED

Resolution by: Smith  
Seconded by: Saglibene

WHEREAS the Towns of Elmira, Southport, Big Flats, Horseheads, and Village of Horseheads have formed a consortium for the purpose of analyzing current government operations with an eye to the future to better serve our constituents, and

WHEREAS the consortium is dedicated to identifying best operational practices and implementing actions that will reduce expenses and improve efficiencies, and

WHEREAS our proactive approach to examine government operations will result in recommendations that set forth new opportunities for financial savings, sharing of services, facilities and employees, and

WHEREAS with the tax cap legislation, increased cost of health insurance, increases in employer pension obligations as well as Upstate New York's unhealthy economy suggest that an

MINUTES OF THE TOWN BOARD MEETING OF JULY 24, 2013

RESOLUTION NO. 142-13, LETTER OF SUPPORT FOR A GRANT TO THE REGIONAL ECONOMIC DEVELOPMENT COUNCIL APPROVED continued

analysis of certain common governmental services within the consortium be made to provide a road map to plan our future service delivery,

NOW BE IT THEFORE RESOLVED the Town Board authorizes the Town Supervisor to sign a Letter of Support for a grant application to be submitted to the Regional Economic Development Council regarding the Towns of Elmira, Southport, Big Flats, Horseheads, and Village of Horseheads have formed a consortium for the purpose of analyzing current government operations with an eye to the future to better serve our constituents, and

FURTHER RESOLVED the Town of Big Flats is fully aware the grant requirement share equal to 50% of the total project cost, not-to-exceed Twelve Thousand Five Hundred Dollars (\$12,500.00) per municipality.

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

Councilperson Fairbrother made a motion, seconded by Councilperson Smith to adjourn the Town Board meeting at 7:33 p.m. All in favor except Councilperson Gillette was absent, motion carried.

Date approved: \_\_\_\_\_

Linda J. Cross  
Town Clerk