

**TOWN OF NORTH HARMONY  
TOWN BOARD MEETING AGENDA  
MONDAY, 9/12/11 8:00 PM**

<b>SALLY P. CARLSON, SUPERVISOR</b>	<b>PRESENT</b>
<b>RALPH WHITNEY, COUNCILMAN</b>	<b>PRESENT</b>
<b>FRANK STOW, COUNCILMAN</b>	<b>PRESENT</b>
<b>DICK SENA, COUNCILMAN</b>	<b>PRESENT</b>
<b>DUNCAN MCNEILL, COUNCILMAN</b>	<b>PRESENT</b>

**OTHERS PRESENT:** Dave Stapleton, Attorney; Dave Lloyd, Stormwater Planner; Brad Lawson, Zoning CEO; Gary Ryan, Highway Sup't.; Bruce Stevens, MEO; Lynn Smith; Norm Czubaj; Penny Best, Deputy Town Clerk; Robin Miller, Bookkeeper; Leah Stow; Louis Rieg, Planning Board; Howard Peacock, Justice; Nancy Thomas, Town Clerk

Mrs. Carlson brought the meeting to order at 8:00 PM. She asked that a moment of silence be observed for the tenth anniversary of 9/11/2001.

- **PLEDGE**
- **MINUTES - 8/8/11 and 8/23/11**

**MOTION #121 OF 2011**

ON A MOTION MADE BY MR. STOW AND SECONDED BY MR. SENA, THE MINUTES OF THE 8/8/11 AND 8/23/11 TOWN BOARD MEETINGS WERE ACCEPTED AS PRESENTED BY THE TOWN CLERK.

Discussion: MR. MCNEILL NOTED THAT A CORRECTION NEEDED TO BE MADE ON PAGE 3 OF THE 8/8/11 MINUTES. HE INDICATED THAT 6' WELL CASING NEEDED TO BE CHANGED TO 6" WELL CASING. THE TOWN CLERK SAID SHE WOULD MAKE THE CORRECTION.

**THE MOTION WAS CARRIED UNANIMOUSLY.**

- **ANNOUNCEMENTS:**
- **REPUBLICAN PRIMARY ELECTION – TUESDAY, 9/12/2011, 12 – 9:00 PM, ASHVILLE FIRE HALL ON STOW FERRY ROAD**
- **ASHVILLE FIRE COMMISSIONER'S MEETING – TUESDAY, 9/20/2011 AT 7:00 PM**
- **PUBLIC COMMENT:**

**LYNN SMITH, QUIGLEY PARK**

Mrs. Smith asked about the bridge on Chautauqua Ave. She said there is a concern about access by Emergency Services and snow removal.

Mr. Ryan said he had contacted Chautauqua County about reconstruction of the bridge and has not heard anything back from them.

**Mrs. Carlson** said the town is thinking about reconstruction rather than a pipe that will cost close to a quarter of a million dollars for such a short area. She said Mr. Ryan is trying to get figures on replacing the decking and then redoing the blacktop.

**Mrs. Smith** asked if that would happen before the snow flies.

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**Mr. Ryan** said he would try to contact the county again.

**Mrs. Smith** asked who is responsible for cleaning out the refurbished creek.

**Mrs. Carlson** said the town has received a permit from Soil and Water so that now the work can be done.

**Mrs. Smith** said there are some large stumps that were in the creek that have already washed into the lake.

**Mrs. Carlson** said she does not know if the stumps came from the creek or the property next door to the creek. She said they had checked it out when the creek was really high and the logs and debris floating there were from the Joeckels property.

**Mrs. Smith** said they were not from Joeckels. She said there were two huge stumps with lots of branches and they had rearranged the silt and gravel.

**Mrs. Carlson** said we have the permit, so we can start taking care of the cleanup at the creek.

## **NORM CZUBAJ, HADLEY BAY**

**Mr. Czubaj** said he has written a letter to the Post Journal that he knew would not get published, so he thought he would come to one of the 13 sources. He noted that the township had recently signed an agreement with the CLMC. He stated that studies and research are done and agreements are signed and still nothing seems to be done. He said this summer is the worst he has ever seen the lake. He said the stench and blue green algae are horrible. He said he spoke to a biologist and asked what the problem was and was told that there is no flow of fresh water underneath the lake which is caused by a lack of water flowing from the creeks. He said he has done research on 13 townships and his question is twofold. He said townships are maintaining a high fund balance and asked if any of them are doing anything to help out the CLA. He said the CLA operates a ½ million dollar business that couldn't be funded this year and they only had 3 weed cutters out this summer. He said the lake is a financial asset to the community and asked how long before it becomes a swamp. 2) He asked is there is anything that will come out of the CLMC compact. He asked if there is anybody that can take the problem and do something about it.

**Mrs. Carlson** said she certainly hopes so. She said the CLMC has spent a lot of time trying to get all the towns involved in a solution, to make changes in their Zoning Ordinances, to do things that will slow runoff to the lake and make changes to plantings along the lake that will catch silt before it gets into the lake. She said she personally thinks that somehow pressure needs to be brought to bear on the DEC to make changes to the lake to include excavation at the mouth of streams so that water does flow, doing something to help, even if it requires weed spraying or hiring local people who have some knowledge of what is going on with the lake to make some changes. She said she does not know what the answer is but at least now there are people who have boots and shovel and may be able to do something. Mrs. Carlson said the state needs to come and look at the condition of the lake. She said they take the majority of the money derived from recreation on the lake (fishing licenses, boat registrations and snow mobile registrations) but the money never seems to get back to the lake.

**Mr. Czubaj** asked if there is anything that prevents townships from contributing to the CLA.

**Mrs. Carlson** said North Harmony contributes \$3,500 to the CLA.

**Mr. Czubaj** said the town donates \$3,500 and they have an \$893,000 fund balance.

**Mrs. Carlson** said she personally donates to the CLA and asked if Mr. Czubaj donates. She said the fund balance has been accrued over 15 years to build a new highway building.

**Mr. Czubaj** said if every town donated \$20,000 that would be about half the cost of operating the CLA. He said the foundations are going to dry up and the county has no money.

**Mrs. Carlson** asked about the people who live in areas away from the lake who somehow don't feel they have a vested interest in the lake.

**Mr. Sena** said he lives away from the lake and it is not that these people don't care, but that a lot more tax dollars are spent on the lake.

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*There were comments that the lake area provides the majority of the tax dollars; non-lake areas have no services, etc.*

**Mr. Czubaj** stated there are too many studies and commissions and not enough real action on the condition of the lake.

**Mr. Stow** asked Mr. Czubaj if we have a clear and concise path where we can say we are going to do this and make the lake better.

**Mr. Czubaj** said he doesn't know and that is his fault because he has not researched it.

**Mrs. Carlson** said she has spent a lot of time working on the CLMC and hopes their efforts will accomplish something. She stated she is embarrassed to go down and look at the lake. She said as far as asking each town for \$20,000 for the CLA, she would prefer to see every owner on the lakefront give them \$100. She said that is what she does.

**Mr. Czubaj** said there are 26 homes in his bay and only 3 of them donate to the CLA.

*There was further general discussion about the DEC and the Corps of Engineers and the refusals of either to help with conditions on the lake.*

**Mrs. Carlson** said the CLMC meets at 4:30 PM the first Thursday of every month at the Sr. Citizens Center in Stow and they would welcome anyone who wishes to attend.

- **CORRESPONDENCE:**

1. **COUNTY PLANNING**

2. **COUNTY PLANNING - GREENWAY PLAN – Wed. 9/21/11, 6:30-8:30 PM at JCC Student Activity Center Results of Greenway's and Trail's Studies Meeting**

**Mrs. Carlson** said it might be something worth looking into since the town has not received any offers on the Regner property and it might be an opportunity to see about hooking a trail into Tom's Point from there.

3. **FEMA FUNDING**

4. **ASSOCIATION OF TOWNS 2012 DUES \$800**

5. **CO. EXECUTIVE – Extension of Projects Cheney's Pt. & Rain Garden to 12/31/11**

6. **DAVID STAPLETON – Notification of Class Action Suit and Notice of Appearance Norse Pipeline – Response letter 8/26/11**

**Mr. Stapleton** said that Norse Pipeline for several years has been trying to reduce their assessments' by suing the towns through which their pipelines run. He said in the past the county has taken over the responsibility of providing a defense (Attorney Menselet of Albany) for those actions by Norse. He said there was supposed to be a meeting in Mayville this morning to determine what the judge was going to do with referring the matter out. He said in the past he has referred it out to Judge Geracci to act as the administrative hearing officer. He said he does not know if Judge Geracci will take care of it again this year, but by next month he should be able to let the town know whether the county is again providing the towns with defense services and what judge will be handling it. He said Mr. Holcomb is keeping an eye on the situation.

**Mrs. Thomas** noted that in the last suit Norse had managed to get their assessments lowered.

**Mr. Stapleton** said this time they are trying to get them lowered to \$1.00.

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7. **U.S. REGISTER OF COPYRIGHTS (A FERRY TALE)**
8. **FINGER LAKES TRAILS GREENWAYS CONFERENCE 9/23/11**
9. **CHAUTAUQUA CO. CHAMBER OF COMMERCE – Annual Awards Banquet 10/6/11 \$50**
10. **LETTERS OF COMMENDATION TO HIGHWAY DEPT. – Sunrise Cove & Bob Schulz,**

### **Longview**

**Mrs. Carlson** read the letter from Louis Reig, Sunrise Cove thanking the Highway for the repairs to edgework, potholes and curb repairs and also for the fine paving job done on the street. She said a letter was also received from Bob Schultz on Longview Ave. thanking the Highway for the great job done on the drain project there.

11. **STW FALL PLANNING AND ZONING CONFERENCE – 11/16/11 at Chautauqua Suites**  
**Mrs. Carlson** indicated that all Zoning and Planning Board members are welcome to attend. She said the town would continue to certify these boards through Dave Stapleton and Don McCord for their required education hours.

12. **NYS DOT – Acceptance of I-86 resurfacing contract (17.4 kilometers)**

13. **NYS UNIFIED COURT SYSTEM – Copy of Audit**

**Mrs. Thomas** said she has filed the Justice's audit with the court system.

14. **MUSLIM'S FOR LIFE - A letter regarding a campaign to commemorate 9/11.**

15. **ZBA MINUTES 8/24/11**

16. **NEWSLETTERS:**  
**Cornell Local Roads – “Nuggets & Nibbles”**  
**Chautauqua Opportunities – “The Community”**  
**Waste and Recycling**  
**Public Works**

- **OLD BUSINESS:**
- **HIGHWAY BUILDING PROJECT - 2 Wells**  
**- Bid Reviews**

**Mrs. Carlson** said the town had wound up drilling 2 wells at the highway building. She said the first well was dry and was also on the neighbor's property due to a property line misunderstanding. She said the second well was drilled and a good supply of water was hit for use in the new building. She said we have also received the bid reviews from Tolman and selected Building Innovations' Group, Inc. as the contractor at the 8/23/11, meeting. She requested authorization to sign contracts so that the town could move forward on the construction of the highway building.

**Mrs. Carlson** said the contractor needed to correct their insurance to include the town as also insured and as soon as they get that done the order to proceed can be issued. At that point the clock will start ticking and the contractor has 120 days to complete the project. She said they had suggested the town pick out the colors, etc. for the building so that it can be manufactured while they are doing the foundation work.

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**MOTION #122 OF 2011**

**MR. WHITNEY MOTIONED TO AUTHORIZE THE SUPERVISOR TO SIGN THE ORDER TO PROCEED CONTRACT AND OTHER CONTRACTS NECESSARY TO BEGIN THE CONSTRUCTION OF THE HIGHWAY BUILDING PROJECT. MR. MCNEILL SECONDED AND THE MOTION WAS CARRIED UNANIMOUSLY.**

**Mrs. Carlson** said the town has also received the septic system diagram outline permit so that the highway department can install the septic with the assistance of Mark Stow. She said the plans for the building are available for review.

**Mr. Stow** asked if the septic should wait until the cement work is done in order to get the proper slope on the drain lines.

**Mr. Sena** said you should be able to tell the proper slope from the plan drawings.

It was also discussed that the tank should have a special load bearing cover in case trucks should drive over it.

**MOTION #123 OF 2011**

**ON A MOTION MADE BY MR. STOW AND SECONDED BY MR. SENA THE HIGHWAY SUPERINTENDENT WAS AUTHORIZED TO PURCHASE MATERIALS NECESSARY FOR THE INSTALLATION OF THE SEPTIC SYSTEM AT THE HIGHWAY BUILDING. THE MOTION WAS CARRIED UNANIMOUSLY.**

- **FIREHALL**

**Mrs. Carlson** said the Fire Commissioners are planning on holding a vote on 9/27/11 on the purchase of a building on South Maple for use as a second Station. She said she is still not sure where the vote will be held. She encouraged everyone to vote.

**Mr. Peacock** said he had heard a rumor that they might change the vote date.

**Mrs. Carlson** said it might be even more important to attend the Commissioners meeting on 9/20/11.

- **GOOSE CREEK**

**Mr. Stapleton** said he and Pat Stafford the attorney for Goose Creek Corp. had finally worked out all the details of the Corporation contract and he has approved the final version of the materials that will be sent out to all the shareholders in the corporation. He said they are all being asked to sign their acknowledgement and acceptance of the declaration of restrictive covenants and authorizing the corporation to essentially record the declaration which will create encumbrances against all the properties within the Goose Creek area. He said he has reviewed the Mylar prints and they are fine. He said as soon as he receives copies of the signed documents from Mr. Stafford and acknowledgement that it has been recorded he will come to the town and ask Mrs. Carlson and Mr. Rice to sign the Mylar and will get it filed at the county clerk's office.

- **BOCES HEWES SEWER PROJECT – Final Payment made on project**

**Mrs. Carlson** asked Mr. Rieg if everything had been taken care of in relation to the project.

**Mr. Rieg** said basically yes.

**Mrs. Carlson** said St. George has received the final payment for their work on the project. She said as far as the town is concerned the project is done.

- **CHAUTAUQUA CO. HISTORY FAIR – Greek Revival Houses in North Harmony**

**Mrs. Carlson** said the Fair was quite an event. She said on Friday they had presented the town with a poster of Greek revival homes constructed in North Harmony. She said that Deanna Wheeler had provided the photos for the poster and she had thanked her.

#### **TOWN BOARD**

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- **NATIONAL GRID - ENERGY AUDIT**

**Mrs. Thomas** said a representative from NYSERDA had come to the offices about a week and a half ago and indicated that the community building would be a good candidate for audit and funds because the lighting throughout is T-12.

**Mr. Lawson** said using T-8 or T-5 lighting would be much more energy efficient.

- **PROPERTY NEXT DOOR – Deed Recorded 8/17/2011 Liber 2011 Pg. 4349  
- Salvage Specifications**

**Mrs. Carlson** said we have received the deed for the Raynor property and now we can proceed with the salvage. She said Mr. Sena has provided an outline for the salvage project and she suggested that a motion to advertise for the salvage be made.

#### **MOTION #124 OF 2011**

**ON A MOTION MADE BY MR. MCNEILL AND SECONDED BY MR. SENA THE TOWN CLERK WAS AUTHORIZED TO PLACE A LEGAL NOTICE FOR SALVAGE BIDS FOR THE RAYNOR PROPERTY LOCATED ON OLD BRIDGE ROAD. THE MOTION WAS CARRIED UNANIMOUSLY.**

- **BOMBER VALLEY MONUMENT**

**Mrs. Thomas** said she had been in contact with Paul Densmore who had approached the town with quite a bit of information about a WWII B-24 Bomber that had crashed in the Spooner Road area when the pilot, who was from the area, did a fly over of his family's home. She said Mr. Densmore had suggested a granite monument be placed at the sight or somewhere else to commemorate the event at a cost of about \$10,000.00. Mrs. Thomas said she had advised Mr. Densmore that the town was currently raising funds to

build a Veteran's Memorial in the town and would be more than happy to include the names of the men who lost their lives in the crash. She said she and Mrs. Carlson had talked and decided that maybe a historical roadside marker such as the one recently installed at the Ferry would be a good idea. She said she has since contacted Mr. Densmore and he appears to be interested in the idea and is even willing to pay up to \$1,000.00 for the marker. She said she had provided the name of the casting company that had done the marker for the Ferry and Mr. Densmore was planning to contact them. Mrs. Thomas said Mr. Densmore had also contacted other entities including the Harmony Historical Society and the Town of Harmony and she felt he was still waiting for their response before he continues with the project which will require property owner approval.

**Mrs. Carlson** said Sharon Turano from the Post Journal had contacted her about information on this for an article.

**Mrs. Thomas** said Mr. Densmore had done quite a bit of research on the crash and she would be forwarding to Ms. Turano the information he had provided.

- **OFFICE OF EMERGENCY MANAGEMENT (OEM) FUNDING – Dave Lloyd**

**Mr. Lloyd** said every few years the OEM does flood mitigation planning. He said he believes the last one was done in 2005 or 2007. He said they want to do one in 2012 to update progress in mitigating any of our problems. He said the town has dealt with FEMA and SEMO and when it comes to this grant funding it always seems that other areas with larger problems of an imminent nature (e.g. Plattsburg floods from Hurricane Irene, Texas fires, Midwest tornados, etc.) get the funding.

**Mrs. Carlson** said she had spoken to Tom Kost, former DEC agent, who had just gotten back from working as a consultant on the flooding down east. She said he had spent 11 days there and had worked over 200 hours.

## **TOWN BOARD**

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- **SIGNING OF CLMC COMPACT BY TOWNS 8/29/11**

**Mrs. Carlson** said the town had signed the CLMC agreement and she is truly hopeful that something is going to come out of it. She said they are forming a new inter-municipal compact group to try and make changes to our ordinances that will favorably impact the lake.

- **"A FERRY TALE" – REPRINT**

**Mrs. Carlson** said the town has received the second (500 copies) printing of "*A Ferry Tale*".

**Mrs. Thomas** said she only has 5 copies of the original 500 copies left.

- **NEW BUSINESS:**

- **GOOSE CROSSING – Signs posted – paid for by Rachelle Gleason**

**Mrs. Carlson** said she has received a letter from Rachelle Gleason about two adult geese and four chicks that had been run over by the swamp on Cheney Road. She asked if the town could do something. Mrs. Carlson said the DEC has informed her that there is a fine of up to \$5,000.00 per bird fine for deliberately running over geese. She said Rachelle asked if she paid for them, could signs be put up. Mrs. Carlson said she has ordered the signs and the highway crew has already put them up.

**Mr. McNeill** said his daughter wanted the town to know that she did not pay all of the money for the signs, neighbors had also helped.

**Mrs. Thomas** said that on the subject of signs, there was a recent article in the Post Journal stating that the government at Congressman Higgins urging has backed down on their requirement for all road signs to be replaced with new reflective signs by 1/1/12.

**Mrs. Carlson** asked how many of the new reflective signs the highway has put up at this time.

**Mr. Stevens** said the town has already purchased all the signs at a cost of over \$11,000.00 and are halfway through with getting them up.

- **DAMAGE TO CAR – Letter in Post Journal**

**Mrs. Carlson** said Mr. Stevens is here to explain about an incident that resulted in a car being damaged. She said there had been an article in the P.J. concerning the lack of payment by the town to a gentleman whose car had been damaged.

**Mr. Stevens** said he was doing oil and stone on Eggleston Hill Road. He said his truck was empty and he was heading back to the shop on Carpenter-Pringle Road and apparently the vehicle was coming toward him. He said his truck was empty although there might have been a little stone in the spreader box. He said he was doing 30-35 mph at the most and the gentleman said the stone showered his car. He said sometimes stone will come off the back of a truck when a car is following the truck, but not when a car is passing a truck head on. He said he went back to the shop and as he was backing up to get loaded this man pulled right in behind him as he was backing up and almost caused an accident. Mr. Stevens said it was almost like the man had damage to his car already and he figured he would get it fixed through the town. He said some stone may have come off the truck but he was not aware of it.

**Mrs. Carlson** said she had called the town's insurance agent and was told that NYS Law exempts highway vehicles from rules of the road and so the insurance will not provide coverage for someone's deductible. She said our agent had spoken to Mr. Ryan and indicated that if the town wanted to include in their budget a fund to cover deductibles they could, but the insurance company would not cover them. She said Mr. Stow has said it might be a good idea to put signs on the backs of the trucks when they are hauling stone, but since this car was coming head on, it would not have helped.

*There was further general discussion of what insurance covers and what it does not.*

## **TOWN BOARD**

**9/12/11 (Pg. 8)**

- **BRIAN WILSON, South Center Sewer District – has updated our information with the Environmental Facilities Corp. (EFC) for our water district 6082-02-00**
- **OCTOBER BOARD MEETING AT LIBRARY IN ASHVILLE ?**

### **MOTION #125 OF 2011**

**ON A MOTION MADE BY MR. SENA AND SECONDED BY MR. MCNEILL, THE OCTOBER 10, 2011, TOWN BOARD MEETING WILL BE HELD AT THE ASHVILLE LIBRARY. THE MOTION WAS CARRIED UNANIMOUSLY.**

- **BUDGET MEETINGS**

**Mrs. Carlson** said budget meetings need to be scheduled as soon as all the requests are in. The members indicated that Wednesday nights would be best. She said as soon as those requests are in she will schedule a meeting and have the Town Clerk post it on the website.

- **PROPERTY TAX CAP RESOLUTION**

**Mrs. Carlson** said she had attended a property tax cap meeting in Belmont hosted by Hodgson and Russ. She said she has provided all the board members with the information from that meeting and if anyone is interested in reviewing it a copy is available. She said she and Mrs. Miller had also done a webinar on Thursday afternoon put on by the NYS Comptroller on the 2% tax cap law. She said as she understands it, if you don't use the 2% cap, the next year you can use only 1 ½ % of that cap in addition to the 2% for that year. She said what she thinks they are saying is that it could go up as much as 3 ½%. She said the information is not very clear. She said if you wish to exceed the 2% cap you must have 60% board approval which would be a majority in our town. She said once the budget figures are in line we may want to consider a resolution even though she doesn't expect that the town will exceed the 2%. She said any of the special districts become a part of the levy and it cannot exceed what was expended last year without a resolution.

- **ASSESSOR – REVALUATION – Delay for at least one year (until 2013)**

**Mrs. Carlson** said Mr. Holcomb had come to the office and he would like to delay the revaluation due in 2012 for at least another year (2013) as our rate is currently 96.5%.

**MOTION #126 OF 2011**

**MR. SENA MADE A MOTION TO DELAY THE SCHEDULED 2012 REVALUATION BY THE ASSESSOR UNTIL AT LEAST 2013. MR. WHITNEY SECONDED AND THE MOTION WAS CARRIED UNANIMOUSLY.**

- **DRU COLE, B.O.C.E.S. – REQUEST TO USE TRANSFER STATION**

**Mrs. Thomas** said she had been approached by Mrs. Cole who teaches a Special Education Life Skills class at BOCES about the possibility of using the town transfer station recycling facility once or twice a month with her students in order to teach them how to recycle. The dates and times Mrs. Cole indicated would be best are Tuesdays or Thursdays from 9-11:00 AM or from 12-2:00 PM. She said Mrs. Cole said they currently go to the Falconer station by bus and thought that our station would be closer and take up less of their class time as well as save on gas. She said Mrs. Cole said the students would be well supervised at the station.

**Mr. Stow** indicated that it might be a major liability to the town.

**Mrs. Thomas** said all of the schools recycling will not be brought to the town. She said Mrs. Cole indicated they will probably be bringing items from the cafeteria such as plastics and cans and also some paper products from the offices.

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**Mr. Stow** said it will be very important to get a certificate of liability insurance naming the town as an additional insured.

**Mrs. Miller** brought up the fact that the highway building area will be under new construction and this might cause the area to be hazardous.

**Mr. Lloyd** said these students don't have much in the way of a family life and they are not taught how to function in the "real" world.

**Mr. Czubaj** said the students could possibly be developmentally handicapped and these are the types of daily living projects that they need to learn. He recommended that the board check BOCES insurance and co-insure the town on it.

**Mrs. Carlson** suggested that Mrs. Cole outline the project in writing to include number of students, number of chaperones, the types and volume of recyclable materials to be brought and specific dates and

times. She also suggested perhaps having a trial period through October and revisiting the program at the November board meeting.

**Mr. Whitney** said he feels it is a worthwhile project. He said teaching life skills is necessary and should be done more.

**Mrs. Thomas** said she had not asked Mrs. Cole how many months she planned to run the program, but would get clarification.

**Mr. Lloyd** stated that Dru Cole is his daughter-in-law and although he does not know about the administration of BOCES, Dru has done wonders for these kids. She has worked very hard with these kids and is turning them into good citizens. He said her heart is pure and she is very dedicated. He asked that the town give the program a chance and if it doesn't work, they can shut it down.

### **MOTION #127 OF 2011**

MR. WHITNEY MOTIONED TO ALLOW DRU COLE, BOCES LIFE SKILLS TEACHER TO USE THE TOWN OF NORTH HARMONY TRANSFER STATION FOR A RECYCLING PROGRAM WITH HER STUDENTS FOR A TRIAL PERIOD THROUGH THE MONTH OF OCTOBER, 2011, PROVIDED THE FOLLOWING CRITERIA IS MET:

- Mrs. Cole must provide a written outline of the program detailing number of students, number of chaperones, the types and volume of recyclable materials to be brought and specific dates and times.
- BOCES must provide a certificate of liability insurance naming the Town of North Harmony as an additional insured.

FURTHER, THE PROGRAM WILL BE REVIEWED AT THE NOVEMBER, 2011 BOARD MEETING. MRS. CARLSON SECONDED AND THE MOTION WAS CARRIED UNANIMOUSLY.

- **REPORTS:**

### **GARY RYAN, HIGHWAY SUPERINTENDENT**

**Mr. Ryan** said the highway has completed the Longview project and the Rain Garden project. He said they have been installing pipe, doing vehicle maintenance, removing flags, as well as continuing to work on Wild Rose Cemetery.

### **HOWARD PEACOCK / EVERETT BENSINK, JUSTICE'S**

**Mr. Peacock** read the Justice Report. He noted that the most noticeable increase in cases appears to be Navigation tickets for operation of personal watercraft without safety certificates.

### **TOWN BOARD**

9/12/11 (Pg. 10)

**August, 2011** Fines, Fees, Surcharges:\$40,831.00 New Cases Started: 298 Cases Closed: 306

**July, 2011** Fines, Fees, Surcharges:\$33,703.00 Town retained: \$15,142.00

**August, 2010** Fines, Fees, Surcharges: \$36,031.25 New Cases Started: 402 Cases Closed: 257

### **BRAD LAWSON, ZONING CEO (Copy of Report in Minute Book)**

**Mr. Lawson** reviewed his report for those present. He said the reason he has not yet turned in his budget request is because he and Don McCord have been discussing the Zoning Law which is on the

website. He said it's great to have it there, but it is difficult for people to navigate through it. He said Mr. McCord's Company can redo this and make it much more user friendly. He said the Town of Ellicott uses a program called 360 graphics which is very good but also very expensive. He said Mr. McCord indicated he could do something similar for our town at a much lower cost. Mr. Lawson said he would like to talk further with Mr. McCord about cost. He said most everyone he talks to has gone to the town's website to review the zoning law and maps and he feels something like this would be a very useful tool. Mr. Lawson thanked those who helped with the renovations to his office.

## **DAVE LLOYD, STORMWATER PLANNING**

### **Longview Drainage Project**

Mr. Lloyd said the Longview drainage problem had been a part of his mitigation plan back in 2005. He said plans were made and designs drawn both by himself and Mr. Tolman. He said due to many problems with landowners around the project it was not started during his time in office and he considered it one of his failures. He said he was very glad that the project was not dropped and is now complete. He said the only addition he would like to see would be a debris trap located ahead of the pipe, not only to keep the pipe open, but to keep as much run off material out of the lake as possible.

### **Ashville Rain Garden (Bryan, Bruce, Bill, Pat)**

Mr. Lloyd said the clay soil has been removed and replaced with topsoil. He said they were able to save a number of yards of the topsoil to be used as a ridge along the rear of the garden. The overflow ditch is in place along with a small ditch to bring water to both ends and 40 yards of mulch and leaves has been trucked in by the Highway Dept. He said he was very happy with all the work performed by the Highway crew.

### **Cheney's Point Project**

Mr. Lloyd said the town has a permit to clean out the gravel and debris from the collection area and to make some small changes and repairs there. He said this work will be done under a Soil and Water General Permit, with a 5 year permit forthcoming. He said Jeff Diers, Watershed Coordinator, requested that we close out the grant at this time as it was a 2009 project. He said the project is 95% complete, with only the soil retaining mat and willow planting left to be done. He indicated Mr. Diers will find money in the spring for the plantings. Mr. Lloyd said he will file all the necessary paperwork to close the grant and noted that the town still has \$2,000.00 coming from the county.

### **Bly Hill Project**

Mr. Lloyd said the engineering drawings are in hand for the Bly Hill step down ditch project.

### **New Mitigation Plan**

Mr. Lloyd said a new mitigation plan with updates is planned for 2012. He said he would be glad to work with Emergency Services and the Highway Superintendent on this project.

## **NANCY THOMAS, TOWN CLERK (Copy of Report in Minute Book)**

Mrs. Thomas said she has nothing further to add to her written report.

**TOWN BOARD**

**9/12/11 (Pg. 11)**

**MOTION #128 OF 2011**

ON A MOTION MADE BY MR. STOW AND SECONDED BY MR. MCNEILL, THE TOWN CLERK'S REPORT WAS ACCEPTED AS PRESENTED AND THE MOTION WAS CARRIED UNANIMOUSLY.

**SALLY P. CARLSON, SUPERVISOR: (copy of report in Minute Book)**

Mrs. Carlson said Michele Henry had given the town a copy of the book and photos that Niles Denning had done of the Ferry Bicentennial and Dance. She said the event had raised about \$7,500 for the Ferry and the book is available for anyone to review.

**MOTION #129 OF 2011**

MR. STOW MOTIONED THAT THE SUPERVISOR'S REPORT BE ACCEPTED AS PRESENTED. MR. MCNEILL SECONDED AND THE MOTION WAS CARRIED UNANIMOUSLY.

**MOTION #130 OF 2011**

MR. WHITNEY MOTIONED TO PAY THE GENERAL FUND VOUCHERS AS AUDITED AND REVIEWED EARLIER. MR. SENA SECONDED AND THE MOTION WAS CARRIED UNANIMOUSLY.

**MOTION #131 OF 2011**

MR. WHITNEY MOTIONED TO PAY THE HIGHWAY FUND VOUCHERS AS AUDITED AND REVIEWED EARLIER. MR. SENA SECONDED AND THE MOTION WAS CARRIED UNANIMOUSLY.

**MOTION #132 OF 2011**

ON A MOTION MADE BY MR. STOW AND SECONDED BY MR. MCNEILL THE MEETING WAS ADJOURNED AT 9:40 PM.

*Nancy Thomas  
Town Clerk*