TOWN OF NORTH HARMONY
PUBLIC HEARING
LOCAL LAW #1-2012 PROPERTY MAINTENANCE LAW
MONDAY 6/11/2012 7:00 PM

SALLY P. CARLSON, SUPERVISOR	**PRESENT**
RALPH WHITNEY, COUNCILMAN	**PRESENT**
FRANK STOW, COUNCILMAN	**PRESENT**
DICK SENA, COUNCILMAN	**PRESENT**
DUNCAN MCNEILL, COUNCILMAN	**PRESENT**

OTHERS PRESENT: Jay Gould, Legislator; Howard Peacock, Justice; Brad Lawson, Zoning CEO; Dave Lloyd, Stormwater Planner; Dave Stapleton, Attorney; Robin Miller, Bookkeeper; James & Kathleen Gibbons; Clayton & Helen Emick; Nancy Thomas, Town Clerk

- **PLEDGE**

- **PUBLIC HEARING: LOCAL LAW #1-2012 PROPERTY MAINTENANCE**

Mrs. Carlson opened the Public Hearing at 7:00 PM. She said the law encompasses the entire town and addresses outdoor storage; accumulation, deposit or placement of abandoned junk; discarded fully or partly dismantled unlicensed or unregistered vehicles; heavy vehicles; rubbish/debris; solid waste or garbage. She said the proposed law has been available on the town website. She asked if anyone had any questions regarding the law.

Mr. Gibbons asked if it included the remains of trees (i.e. tree limbs, etc.).

Mrs. Emick asked about tree limbs, etc. that may have come down on properties and if there is a time frame to remove them.

Mr. Lawson said there is no time frame. He said if he is alerted to an issue he would check with the property owner and try to establish a time frame with them.

Mrs. Emick asked if the law grants the C.E.O. additional powers.

Mr. Lawson said yes, if it is rubbish or unwanted materials that are on the lawn.

Mrs. Carlson closed the Public Hearing at 7:04 PM.

Nancy Thomas
Town Clerk

TOWN OF NORTH HARMONY
TOWN BOARD MEETING
MONDAY 6/11/2012 7:00 PM

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- **MINUTES 5/14/12**

- **MOTION # 84 OF 2012**
  ON A MOTION MADE BY MR. MCNEILL AND SECONDED BY MR. STOW THE MINUTES OF THE 5/14/12 TOWN BOARD MEETING WERE ACCEPTED AS PRESENTED BY THE TOWN CLERK. **THE MOTION WAS CARRIED UNANIMOUSLY.**

- **ANNOUNCEMENTS:**
- **Tax Article**

Mrs. Carlson said an article in the Sunday 5/13/12 Post Journal stated that the Town of North Harmony is ranked as having some of the lowest tax rates in the Western New York region.

- **Memorial Collection for Randy Holcomb's Dad**

Mrs. Carlson said we received no Assessor Report from Mr. Holcomb as he fell down the stairs and was injured. She said anyone who wished to contribute to a Memorial Collection for Mr. Holcomb's father should contact her.

- **PUBLIC COMMENT:**

Clayton & Helen Emick

Mr. Emick commented for the public record that Mr. Whitney and Mr. McNeill approve the bills every month without having a total.

Mrs. Emick said that last month she had mentioned that the Regner property owned by the town badly needed mowing. She said it is still not done.

Mrs. Carlson said she had mentioned it to Mr. Strickland twice.

Mrs. Emick said it looks horrible and that's not good if the town is trying to sell it.

Mrs. Carlson agreed it looks bad, but she cannot force the highway department to mow it as they are an independent entity.

Mrs. Emick said perhaps the entire board should call Mr. Strickland and the property condition reflects poorly on the town.

Mr. Sena said he was not making excuses, but the highway department has been very busy on the roads. He said they have completed work on 19 miles of road this summer.

Mrs. Emick said the 4th of July is just around the corner and it should be done.

<u>James and Kathleen Gibbons, Connolly Park</u>
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Mr. Gibbons said they have owned property in the town for 21 years and that Mr. Strickland had helped them out a great deal this winter. He expressed concern over the use of the foot of Winona Ave. where his house is located in Connolly Park. He said the natural environment there has been disturbed by a private individual (i.e. large trees cut down; small brush cleared; grass cut too short, etc.). He said guests of his have had police called on them for parking next to his garage located on a corner lot of two town roads. He said now the town ROW at the foot of Winona Ave. is being marketed as deeded lake access by this home owner. He said he has read the deed and this is false. He asked the town to help him understand why a citizen has the right to clear cut town land and increase stormwater runoff to the lake; prevent him from parking on a town road; and market town land for sale. Mr. Gibbons said this situation goes back 10 years. He said he had worked with Dave Lloyd to build a storm water retention system. Mrs. Gibbons said after the neighbor had cut all the natural vegetation it caused their property to flood from the stormwater rushing down from Route 394. Mr. Gibbons said the silt in the lake at their dock extends 60'. Mrs. Gibbons said they had brought this to the attention of the Town Board 5 or 6 years ago. She said the neighbor is trying to sell their home and in the real estate write up it states "you will have your own 30' deeded lake access".

Mrs. Carlson said she did not know how the 2 neighbor's deeds were written up.

Mr. Gibbons said he has seen the neighbor's deed and they have only the right of passage and re-passage. He said this was brought up with the board 6 or 7 years ago when the neighbor in question brought a petition to the town to sub-divide hillside lots and grant forward deeded lake access through the lot that has deeded lake access which is down the road on Connolly Ave. He said the town said no because it was funneling. He said the town indicated that if a person sells the deeded lake access to their home to a building lot or property they wish to sell, they no longer have deeded lake access at their home. Mrs. Gibbons said it was clarified at that time that Winona Ave. was a town road.

There was further lengthy discussion and the Gibbons' indicated that it was fraudulent for the neighbor to advertise town property as a deeded lake access that goes with the home they are trying to sell.

Mr. Stow said he believed the Fire Department had looked at that ROW for a dry hydrant.

Mr. Gibbons said it would be an ideal location.

Mrs. Carlson said she would have someone go down and look over the situation.

Mr. Sena suggested that Mr. Lloyd get together with Mr. Gibbons and look it over and he agreed.

- **<u>MOTION # 85 OF 2012</u>**
  <u>MR. SENA MOTIONED THAT THE ROW AT THE END OF WINONA AVE. BE SURVEYED SO THAT IT CAN CLEARLY BE DESIGNATED. MR. MCNEILL SECONDED **AND THE MOTION WAS CARRIED UNANIMOUSLY.**</u>

Mrs. Gibbons asked about the sign that is located there. She asked what the purpose of it is.

Mrs. Carlson said she did not know. She assumed it was put there by the former highway superintendent at Mrs. Bramble's request.

Mr. Stapleton said typically what you have is a subdivision map and the property to the south that is being discussed shows as an easement or ROW to the lake. He said when a subdivision map is filed at the county it is an implied dedication to the town if the town should ever want to use it. He said the town does not necessarily have to take title to the property. He said any of the lots shown on the subdivision map have the implied right of access across any of the lots. He said if it becomes a dedicated public ROW through a deed, etc. the town must decide how it wants to handle that property. Mr. Stapleton said a sign could be placed there that indicates it is a public ROW that is controlled by the Town of North Harmony.

- **CORRESPONDENCE:**

1. TIME WARNER FRANCHISE FEE – 1ST QUARTER $1,493.50

2. NYS GFOA – WESTERN SUMMER CONFERENCE

3. THE SHED SHEET – WELLS BAY SHORELINE (3 ½ ACRES) PURCHASE BY CWC

4. NYS DEPT. OF PUBLIC SERVICE – ENERGY EFFICIENCY

5. CHAUT. CO. WORKMAN'S COMP. – To be added to Town Budget (Previously included in tax warrant)

Mrs. Carlson said we had received a letter from the Director of Finance that indicates effective 2013 Workman's Comp will no longer be a charge back amount on the tax warrant. Local Law #4-2007 changed the formula for distribution which is based on 40% Property Value / 60% Experience. The town will have to pay no later than 2/1/13 an amount of $51,837.05 for Workman's Comp Insurance to the County.

Mr. Sena said they do not give details on the amounts charged.

Mrs. Carlson said she thought 2012 charges were around $49,000.00 and the reason they are up is because of claims made by the Fire Dept. and the Highway Dept. She said our tax bills will go up by $51,837.00 and the max we can increase under the 2% Tax Cap is about $12,000.00.

Mr. Gould said this change was precipitated by an audit.

Mr. Sena asked if the county taxes would be decreased because the town will now have to pay this.

Mr. Gould said he had no idea.

Mrs. Carlson said it looks as if the county's budget has been decreased by the amount of $51,837.00 and hoped this would be reflected in their tax rate for 2013.

Mr. Gould said he would ask about it.

Mr. Sena asked about going with another workman's comp insurance company and Mrs. Carlson said it would cost the town about $144,000 to buy out of the county program, plus about $50,000 in sales tax revenue if they change the formula for us to opt out of the program.

Mr. Stow asked what happens to the unused money that accrues in the fund.

Mr. Gould said they have to keep a fund to pay future law suits.

There was further general discussion of insurance funds.

6. ASSESSOR – APRIL, 2012 PROPERTY SALES / TRANSFERS

7. CHAUTAUQUA OPPORTUNITIES

8. U.S. CENSUS

9. ZONING 5/23/12 AND PLANNING BOARD 5/1/2012 MINUTES

10. GOVERNMENTAL SOLUTIONS

11. NYS-ORPS – Equalization rate for town is 96% (down from 96.5%)

12. CHAUTAUQUA COUNTY – Mortgage Tax received $20,663.11

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13. NYS PUBLIC SERVICE – Lifeline Telephone Program Changes

14. TOWN OF ELLERY – Public Hearing 6/14/12 Local Law Wind Energy Conservation

- **OLD BUSINESS:**

- **PROPERTY MAINTENANCE LAW**
- **MOTION # 86 OF 2012**
  MR. SENA MOTIONED TO ADOPT LOCAL LAW #1-2012 PROPERTY MAINTENANCE. MR. WHITNEY SECONDED. MR. SENA, MR. WHITNEY; YES; MR. MCNEILL, MRS. CARLSON, MR. STOW; NO. **THE MOTION WAS DEFEATED.**

- **HIGHWAY BUILDING – NEW/OLD SEPTIC**

Mrs. Carlson said the highway department apparently does not have time to do the septic work required for the new building and asked for authorization to get bids for the installation. Mrs. Carlson said Mark Stow had provided information on the type of tank and system that is needed.

Mr. Sena asked if an unnecessary road project could be put off and the time used by the highway to do the septic work. He said the whole idea when we started the project was to do some of the work ourselves to save money and all of a sudden we are bidding out all kinds of things.

Mrs. Carlson said if we are going to get into the building before fall, things need to get done. She said she keeps getting told the highway does not have time.

There was further general discussion.

Mr. Stow said it won't hurt to get some prices. He said basically, the tank needs to be buried and a few more things need to be done and it shouldn't cost that much. He said we should definitely get some prices.

Mrs. Miller asked if the town could hire and equipment operator and have them use the town's equipment to do the job.

Mrs. Carlson asked why you would do that.

Mrs. Miller said to save the taxpayer's money.

Mrs. Carlson said if they used our equipment and we had to pay additional insurance, she couldn't imagine it would be cost effective.

There was further general discussion.

- **MOTION # 87 OF 2012**
  MR. SENA MOTIONED TO SEND OUT REQUESTS FOR PROPOSALS FOR THE INSTALLATION AND EQUIPMENT FOR A SEPTIC SYSTEM AT THE NEW HIGHWAY BUILDING. MR. STOW SECONDED **AND THE MOTION WAS CARRIED UNANIMOUSLY.**

  Mrs. Carlson asked Mr. Stow if he would take care of that and he agreed.

- **REMOVAL OF TREES IN TOWN**
  Mr. Sena said Mr. Strickland had some trees in Ashville removed that should have been bid out.
  Mr. Stow said the town could probably save a lot of money if they had trees that needed removal marked, bid out and cut once a year under a blanket contract.

Mrs. Carlson said it should be determined which trees would be National Grids responsibility and which are the town's responsibility.

It was discussed that some of the trees removed in Ashville would have been National Grids responsibility.

- **MOTION # 88 OF 2012**
  MR. STOW MOTIONED THAT THE TOWN USE COUNTY BID OR NYS BID FOR TOWNWIDE TREE REMOVAL ONCE A YEAR. MR. WHITNEY SECONDED **AND THE MOTION WAS CARRIED UNANIMOUSLY.**

  It was discussed that the town can hire anyone it wishes if there is an emergency tree removal situation.

- **FINAL PAYMENT TO BUILDING INNOVATIONS GROUP - $51,772.92**
  Mrs. Carlson said to date the town has spent $582,640.76 on the new highway building.

- **WILD ROSE CEMETERY – SURVEY FOR LOTS / FENCING**
  Mrs. Carlson asked for authorization to have the lots surveyed so that each row of graves is marked off with corner markers. She said that needs to be done so that when lots are sold we can have burials done in an orderly manner.

- **MOTION # 89 OF 2012**

MR. MCNEILL MOTIONED TO AUTHORIZE THE EXPENDITURE OF CEMETERY FUNDS TO HAVE WILD ROSE CEMETERY SURVEYED FOR LOTS AND MARKERS PLACED AT THE ENDS OF EACH ROW. MR. SENA SECONDED **AND THE MOTION WAS CARRIED UNANIMOUSLY.**

Mr. Stow noted that the stake in the corner section is missing.

Mrs. Carlson said we would have the surveyor line it up and replace that stake so fence and row markers can be installed

- **FENCING AT WILD ROSE CEMETERY**

Mr. Stow provided the following pricing for chain link fence at the cemetery: Action Fencing; $4,490 materials and installation of all new fencing; $3,690 materials and installation partial new and (200') used fencing ($800 savings).

- **MOTION # 90 OF 2012**

MR. STOW MOTIONED TO AUTHORIZE THE EXPENDITURE OF CEMETERY FUNDS IN THE AMOUNT OF $3,690 FOR THE MATERIALS AND INSTALLATION OF NEW/USED CHAIN LINK FENCING AT WILD ROSE CEMETERY. MR. SENA SECONDED **AND THE MOTION WAS CARRIED UNANIMOUSLY.**

Mrs. Carlson said the money to do the survey and fencing will come out of cemetery funds and will be reimbursed.

- **TIRES IN DITCHES**

Mrs. Carlson said the tires have been removed from the ditches on Ramsey and Donelson Roads.

Mr. Stow said the county had taken the tires at the landfill at no charge to the town.

Mrs. Thomas said the board had asked her to check with Penhollow about having some type of town tire amnesty. She said Mr. Penhollow said they would collect the fees for the tires at the transfer station and Mr. Strickland said the highway would count them and truck them to the landfill if that's what the board wants.

Mr. Stow asked if it would be limited to town residents.

Mrs. Thomas said yes and it would exclude commercial businesses.

Mr. Peacock said if he sells 2 tires he will take 2 tires back.

Mr. Stow said that is how it is supposed to be done for commercial businesses.

There was further general discussion and it was determined that it would be best if residents just take their tires to the landfill.

Mr. Stow said perhaps we should purchase a banner that states that the Ellery Landfill will take tires for $3 per tire so that people are aware of their options. He said if the town does decide to do something, in spring would be best.

Mr. Sena said more trash was dumped illegally at the transfer station. He said no names could be found in the bags.

- **BUTTS PARK PAVILLION – GET ESTIMATES FOR ROOF, ETC.**

Mr. Sena clarified that it is the Lighthouse Pavilion that needs roof work and not Butts Park. He said it had been mentioned that BOCES might be willing to do the roof as a project but since school is almost out it may have to wait until next year.

Mrs. Carlson asked if it was stable enough to last another year.

Mr. Sena said yes, he thought so.

- **MAPLE GROVE STUMPS**

Mrs. Carlson said Mr. Strickland had spoken to the county and she said she believed he had said that the county has agreed to remove the stumps at Maple Grove Cemetery.

Mr. Sena said they had already removed one at Bly Hill Cemetery.

Mr. Lloyd said what the county does is if there is a bridge crew waiting for cement on a project to dry, they will send out a couple of guys to remove stumps until the cement dries. He said you may have to wait in line to get them done, but that's how they work it.

- **CEMETERY – USE OF FUNDS**

Mrs. Miller said in checking with NYS it was determined that the town can use Cemetery funds for expenses even though the cemetery they will be used for is not the cemetery that generated the funds. Those funds can be used for repairs at Wild Rose.

- **DEFIBRILLATOR**

Mrs. Thomas said Mr. Stow had mentioned that the town could use state bid for a defibrillator. She said she had contacted Under Sheriff Holder since the Sheriff's Dept. vehicles have defibrillators in them. She said the Under Sheriff was out of town but she had left a message for him to contact her when he returns.

- **EXOTIC ANIMALS**

Mr. Stapleton said he had been asked what type of Local Law he might recommend for Exotic Animals in the town. He said he had researched the state statutes and regulations and provided them to the board. He said it appears there is a comprehensive law at the state level dealing with all types of animals. He said primarily the town's concern was notification by person's keeping these types of animals. He said there

is an annual requirement that the state and town clerk be notified of the type and numbers of exotic animals a resident keeps. It also provides for the information being sent to all emergency services and providers (i.e. fire dept., sheriff dept., etc.). He said at this point he sees no purpose in drafting a local law that would essentially mirror the state laws.

Mrs. Carlson said in discussion it appears that a local law would be redundant.

Mrs. Thomas said the residents with the animals are duly licensed by the state and have provided her with the proper notification which she has sent to the appropriate emergency service providers.

- **NATIONAL GRID - INSTALLATION OF LIGHT FIXTURES**

Mrs. Carlson commented on how much brighter the town building is now that National Grid has replaced the light fixtures.

Mrs. Thomas said the upgrade to the light fixtures should pay for itself in savings in about 2 years.

- **REGNOR PROPERTY**

Mrs. Carlson said that Mr. Sena had provided a written advertisement for the Regnor property. *There was discussion on the length of the advertisement and the cost of publishing.*

Mrs. Emick suggested running an add on Craigslist.

After further discussion, the Town Clerk was asked to contact the Chautauqua Star, Vacation Bureau and Craigslist to advertise the property.

- **NEW BUSINESS:**

- **PLANNING BOARD CHANGES – SCHEDULE SEQR AND PUBLIC HEARING**

Mrs. Carlson said the Planning Board has submitted changes for the Stow Area 4 Districts. She said she believes these are final.

Mr. Lawson said yes, it is final.

There was discussion of scheduling the SEQR hearing and who should perform it, the Town Board or the Planning Board.

Mrs. Carlson said she would ask Mr. Rice to schedule the SEQR Hearing and the Town Board would follow with the Public Hearing at its next meeting.

Mr. Stapleton asked if the changes have been submitted to County Planning and said they typically take 30 days to review an application.

- **MOTION # 90 OF 2012**

MR. STOW MOTIONED TO HOLD A PUBLIC HEARING ON 8/13/12 PRIOR TO THE TOWN BOARD MEETING ON THE PROPOSED NORTH HARMONY STOW AREA ZONING DISTRICT CHANGES AS SUBMITTED BY THE PLANNING BOARD. MR. SENA SECONDED **AND THE MOTION WAS CARRIED UNANIMOUSLY.**

- **2% TAX CAP OVERRIDE LAW – SCHEDULE PUBLIC HEARING**

Mrs. Carlson said because the Workman's Comp will no longer be a charge back amount on the tax warrant, the town will have to pay no later than 2/1/13 an amount of $51,837.05 for Workman's Comp Insurance to the County and this will cause us to exceed the 2% Tax Cap.

- **MOTION # 91 OF 2012**

MR. MCNEILL MOTIONED TO SCHEDULE A PUBLIC HEARING ON PROPOSED LOCAL LAW # 2-2012 "A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW 3-C" ON 7/9/12 PRIOR TO THE TOWN BOARD MEETING. MR. STOW SECONDED **AND THE MOTION WAS CARRIED UNANIMOUSLY.**

- **SCHEDULE JOINT MEETING OF PLANNING AND TOWN BOARDS**

Mrs. Carlson said she would like to have a joint meeting of the Planning and Town Boards in order to discuss ideas as to what direction the town is going. She asked what would be a good time for everyone. *It was decided to schedule the meeting for a Tuesday.*

- **DICK SENA –DETAILED LIST OF PARK NEEDS**

Mr. Sena provided the following list of Town Park projects that need to be accomplished:

Ashville Common

Maintenance needed:

- 2 picnic tables need a few decayed boards replaced, cleaned, and stained.
- The sign frame is badly decayed, at least the exterior wood frame. Dismantle, rebuild frame and reinstall sign needed.
- The sign electrical lighting is bad. The bulbs are missing and sockets turned into the dirt. This should be checked and disconnected. This could be a potential hazard.
- Discussion on fire station site. Noted at meeting, lack of parking. I see plenty of parking and potential in the building for a covered weekend farmers market. Rent space or winter storage.

Lighthouse Park

Maintenance needed:

- All the benches need the rusted metal prepped, primed, and painted and wood prepped and stained.
- Area needs cleaned up. Banners down, trash pickup.
- Lawn mowing, mowed around sticks and branches. They are not weed whipping the fence area or benches. Bamboo growing around tree, this needs to be treated.
- Trash not being picked up – container repairs by Boy Scout Troup 126.
- Pavilion roof needs new shingles. Old roof may last a year or so however a tear off is necessary. Initial estimates $2,500 - $3,000. Possible project for Boces next year.

Lighthouse:

Decay is extensive. 2x4's are not pressure treated and some plates are totally decayed. The plywood sheathing is holding everything together. However it is molded again. Last years' cleaning and treatment did not eliminate the problem that is the weather being able to enter (by design) and the moisture trapped inside. The ventilation has worked to slow down the process but the mold is back. I have installed the screen door for the summer that should keep it drier. I will have to monitor this structure yearly. There is no feasible way to repair it. Eventually the top section can be saved; it was constructed much better and with rot resistant lumber. The vinyl siding has also worked against us due to water being able to get behind it, trapping moisture and promoting decay. I give the lower structure 3-5 years.

We need to put on a push for selling memorial tiles to raise funds. Sign at the pavilion, website, post journal, post office, Hogan's Hut, Ashville General Store, Hadley House, are some suggestions

Butts Park

Maintenance needed:

- The exterior 2 benches and 1 picnic table need wood replacement, cleaning, and staining. 2-3 boards on benches. Three top boards on table.
- The iron gates and picnic table metal frame are rusted. All need scraping, wire brushing, primed and painted. Including brush dump gate above.
- Outhouse – Needs to be cleaned, new screens, new seats, new door locks, and painting.
- The electrical pole needs a new guy wire and ground anchor support.
- Pavilion – some 6x6 posts are starting to decay – minor at this time. All posts and frame need stained.
- Tether ball is missing.
- Horse shoe pits overgrown.
- Water well hand pump/spigot does not work.
- Trash container repair (Boy Scouts).
- Trash not being picked up again this year.

Mr. Sena said all three parks need maintenance. He said we had talked about getting an electrician to look at the guy wire at Butts Park and the lighting at Ashville Commons. He said the parks have not been maintained and some work needs to be done as far as repairs to rust and rot.

Mrs. Carlson asked if he had identified any dangerous situations.

Mr. Sena said not at this point. He said his biggest concern is the light house. He said he doesn't believe there is a cost effective way to save it as the siding holds moisture in and is causing the interior to mold and rot.

Mrs. Carlson asked if pressure treated lumber could be used to repair it.

Mr. Sena said not without practically rebuilding the whole thing.

Mr. Gould suggested plastic wood.

Mr. Sena said plastic wood is used mostly for decking. He asked about possibly getting some summer help for maintenance.

Mr. Emick said the town he had worked at had used Senior Citizens hired at minimum wage and they had become the Park Maintenance Department.

Mr. Sena said a retired senior would be good as they are generally reliable.

Mrs. Emick said perhaps a farmer would be interested and they have a great work ethic.

- **MOTION # 92 OF 2012**
  MR. SENA MOTIONED TO ADVERTISE FOR A PART-TIME (NOT TO EXCEED 20 HR/WK) SUMMER PARK MAINTENANCE EMPLOYEE AT $8/HR. MR. WHITNEY SECONDED **AND THE MOTION WAS CARRIED UNANIMOUSLY.**

- **REPORTS:**

JAY GOULD, LEGISLATOR

Mr. Gould said the following had occurred in the Legislature in May, 2012:

- Resolutions for appointments to Traffic Safety Board, Fishery Advisory Board, Visitors Bureau
- Resolution for summer hours at county 8:30-4:30 ends 9/3/12
- Discussion in committee on bid for timber sales from county forest land. He said Soil and Water had put in the low bid.
- BOCES is going to have School Resource Officers during school hours.
- Resolution to lease office space for Planning ($495.58/month) and Economic Development ($326.75/month) at the Riverside Industrial Center on Harrison St.
- He said North Harmony received a 2% Bed Tax Grant in the amount of $40,000 for Goose Creek Bank Stabilization.

Mrs. Carlson said the project is located in North Harmony but Soil and Water will be doing the work. She said the home affected has lost 40' of yard to the creek.

- Legislative Clerk to the Chairman resigned to take a full time job.
- He said one of the Legislators was going to put in for $100,000 more for CLA weed cutting and has run into a lot of problems. He said there is only $30,000 left in the reserve.

Mr. Sena said he has lost jobs in North Harmony because people refuse to do any more work on their homes on the lake until the weed situation is addressed.

There was general discussion of the causes of the weed problem and ways to address it.

HOWARD PEACOCK, JUSTICE *(copy in Minute Book)*

Mr. Peacock read the Justice report for May, 2012 into the record. He said he and Mr. Bensink had attended Justice School in Niagara Falls last week. He said the instructors there were volunteering and the state is about to begin using the internet for training courses because of funding issues.

BRAD LAWSON, ZONING C.E.O. ***(copy in Minute Book)***

Mr. Lawson said things are beginning to get busy. He said there are a couple of new homes starts. He said all the trucks and trailers at the property he had discussed with Mr. Whitney have been removed.

Mr. Sena said there is a new neighbor on Butts Road that he believes is using his property as a used car sales lot. He said there are trailers constantly loading and unloading vehicles there.

Mr. Lawson said he would check it out. He said he has been in discussion with a realtor regarding the Grandview property (30 acres) and a possible developer who would like to get sewer and water from Sunrise Cove.

Mrs. Carlson said the South and Center Sewer District would have to approve taking over the lines and BPU would be involved in the water.

Mr. Stapleton reminded the board that we can't get anything in around the boundary lines of Sunrise Cove because Dr. Galiel has a 5' reserved area/easement that he retains. He said they might have to run lines down the road. Mr. Stapleton said BOCES access had come off the public road and his easement does not continue off Rt. 394. Mr. Stapleton said there is also a gas line on the lakeside of Rt. 394 and he is not aware of what the restrictions are in terms of using the highway ROW to install lines next to gas lines.

Mrs. Carlson said she believes it can be done, there just has to be a distinct separation.

There was further general discussion.

Mr. Stapleton said he would contact them about the issue.

DAVE LLOYD, STORMWATER PLANNER

Ashville Water Garden

Mr. Lloyd said 2 days were spent weeding, planting and mulching the rock garden at the 4 corners of Ashville. He said he and Ms. Burgeson had planted 115 plants in the Water Garden last week and seeded one area with wild flowers. He said they will be planting more flowers and grasses this Wednesday, 6/13/12. He said he had checked the water well for depth and it appears to be 10' to the water and 14' to the bottom of the well. He said the water appears to be clear with no odor. He said the well casing is not in good shape.

Mr. Stow said he would help install a pitcher pump to see if water can be drawn for watering the plants.

He said he would be reseeding grass at the rear of the garden when the rest of the work is complete. Mr. Lloyd asked for highway help to move some rocks and do some grading before seeding.

Mrs. Carlson commented on how expensive the plants were.

Mr. Lloyd said good plants are not cheap and they wanted healthy plants that would survive.

Mr. Stow asked if there is a map of the garden that explains what it is and what is there.

Mr. Lloyd said yes, and Tim Baron will be working on a sign and there will be a kiosk with a flyer with that information on it.

Cheney Point Creek

Mr. Lloyd said he is still working on the timing for planting at Cheney Creek. He said he had mailed a request to the DEC for a 5 year permit for clean out of the creek. He indicated this would be a town permit, not a soil and water permit because a general permit for Soil and Water is only good for 1 year. He said the current permit expires 8/26/12.

Bly Hill and Ferry Park

Mr. Lloyd said the Bly Hill and Ferry Park projects are on hold until highway work slows down.

NANCY THOMAS, TOWN CLERK *(copy in Minute Book)*

Mrs. Thomas thanked all those who helped with the recent Rabies Clinic. She said that there were 300 doses of vaccine and only about 2 became contaminated; so approximately 298 animals were vaccinated in 2 hours. She said that the clinic ran out of vaccine and a few people had to be turned away. She said it was a real success thanks to the hard work of those who volunteered.

- **MOTION # 93 OF 2012**
  ON A MOTION MADE BY MR. STOW AND SECONDED BY MR. MCNEILL, THE TOWN CLERKS REPORT WAS ACCEPTED AS PRESENTED **UNANIMOUSLY.**

SALLY CARLSON, SUPERVISOR *(copy in Minute Book)*

- **MOTION # 94 OF 2012**
  ON A MOTION MADE BY MR. STOW AND SECONDED BY MR. SENA, THE SUPERVISOR'S MONTHLY REPORT WAS ACCEPTED AS PRESENTED **UNANIMOUSLY.**

- **MOTION # 95 OF 2012**
  MR. WHITNEY MOTIONED TO PAY THE GENERAL FUND VOUCHERS AS AUDITED AND REVIEWED EARLIER. MR. MCNEILL SECONDED **AND THE MOTION WAS CARRIED UNANIMOUSLY.**

- **MOTION # 96 OF 2012**
  MR. WHITNEY MOTIONED TO PAY THE HIGHWAY FUND VOUCHERS AS AUDITED AND REVIEWED EARLIER. MR. MCNEILL SECONDED **AND THE MOTION WAS CARRIED UNANIMOUSLY.**

Mr. Stow said he had attended the meeting sponsored by the Secretary of State and County Executive and basically what they were pushing was consolidation. He said they did not respond to any questions that were asked unless they had to do with consolidation.

- **MOTION # 97 OF 2012**
  ON A MOTION MADE BY MRS. CARLSON AND SECONDED BY MR. STOW THE MEETING WAS ADJOURNED AT 9:20 PM.

Nancy M. Thomas
Town Clerk