

Mrs. Carlson said the current town historian is no longer interested in the position and Dan Thomas has expressed an interest.

TOWN BOARD

1/9/12 (Pg. 2)

- MOTION # 2 OF 2012
ON A MOTION MADE BY MR. WHITNEY AND SECONDED BY MR. MCNEILL, DAN THOMAS WAS APPOINTED TO THE POSITION OF HISTORIAN FOR THE TOWN OF NORTH HARMONY. THE MOTION WAS CARRIED UNANIMOUSLY.
- Mr. Lawson said he does not believe that Mr. Kayner is interested in being Deputy CEO for the town. It was determined that the position would be left blank until Mr. Lawson can designate an appropriate replacement
- Mrs. Miller requested that the Court Clerk and Bookkeeper hourly rate be changed from \$13.96/HR to \$14.00/HR.
- MOTION # 3 OF 2012
MR. WHITNEY MOTIONED TO INCREASE THE HOURLY RATE OF THE BOOKKEEPER AND COURT CLERK FROM \$13.96/HR TO \$14.00/HR. MR. SENA SECONDED AND THE MOTION WAS CARRIED UNANIMOUSLY.
- Mrs. Carlson said that several appointments need to be made to various boards. She said she would like to appoint Dan Thomas to the Zoning Board of Appeals to fill the term of William Adamson. She said that although Mr. Thomas and Mrs. Emick had become alternates to that board at about the same time she thought that since Mrs. Ortman serves on that board and lives in the same area as Mrs. Emick it would make sense to get a different area of the town represented.
- ~~MR. STOW # 4 OF 2012~~ MOTION # 4 OF 2012 TO MAKE THE FOLLOWING APPOINTMENTS:
WALLY GEIST: A REAPPOINTMENT TO THE PLANNING BOARD EFFECTIVE 1/1/2012 – 12/31/2018. DAN THOMAS: APPOINTMENT TO THE ZONING BOARD OF APPEALS EFFECTIVE 1/1/12 - 12/31/18; DON BUTLER: A REAPPOINTMENT TO THE BOARD OF ASSESMENT REVIEW EFFECTIVE 9/2011 – 9/2016. MR. STOW SECONDED AND THE MOTION WAS CARRIED UNANIMOUSLY.
- ~~MR. STOW # 5 OF 2012~~ MOTION # 5 OF 2012 TO ADOPT THE 2012 REORGANIZATION AND SALARY SCHEDULE. MR. MCNEILL SECONDED AND THE MOTION WAS CARRIED UNANIMOUSLY.

~~ON A MOTION MADE BY~~ ON A MOTION MADE BY MR. WHITNEY AND SECONDED BY MR. MCNEILL THE HIGHWAY SUPERINTENDENT WAS AUTHORIZED TO:

- POST ROADS
- BID FOR MATERIALS – COUNTY AND STATE
- ATTEND HIGHWAY SCHOOL

THE SUPERVISOR WAS AUTHORIZED TO:

- SIGN THE AGREEMENT TO SPEND HIGHWAY FUNDS

• RENEW THE SHARED SERVICES CONTRACT WITH CHAUTAUQUA COUNTY
TOWN BOARD

1/9/12 (Pg. 3)

ALL OTHER OFFICIALS WERE AUTHORIZED TO:

- ATTEND SCHOOL AND MEETINGS AS BUDGETED
THE MOTION WAS CARRIED UNANIMOUSLY.

• ~~CODE OF ETHICS~~ She had received an e-mail from New York State regarding the town's code of ethics. She said the last time it had been reviewed was 1/15/1991, and it had been originally adopted in 1971. She gave a brief review of what the existing code of ethics states.

- ~~NO A MOTION MADE BY~~ MR. WHITNEY AND SECONDED BY MR. MCNEILL THE TOWN OF NORTH HARMONY CODE OF ETHICS AS ADOPTED IN 1971 AND REVIEWED ON 1/15/1991, WAS REAFFIRMED. THE MOTION WAS CARRIED UNANIMOUSLY.

- PROCUREMENT POLICY

- ~~NO A MOTION MADE BY~~ MR. SENA AND SECONDED BY MR. STOW THE TOWN OF NORTH HARMONY PROCUREMENT POLICY AS AMENDED IN APRIL, 2009 WAS REAFFIRMED. THE MOTION WAS CARRIED UNANIMOUSLY.

- OLD BUSINESS:

• ~~MRS. CARLSON STATION~~ ~~Stickers/Have Penhollow Take Charge (that would charge the person)~~ said that the changes would be easier to implement once the old highway building has been removed and the construction of the new building is complete. She said this would make a big difference in the traffic pattern. She said Mr. Penhollow had suggested perhaps having the station open 2 days a week (i.e. 9-12:00 Saturday and 4-7:00 PM Wednesday). Mrs. Carlson asked Mrs. Thomas if she had any luck checking on stickers for the station.

Mrs. Thomas said she has been busy getting the tax bills mailed and had not yet checked on stickers.

Mrs. Carlson said she and Mrs. Thomas had discussed some type of cling on sticker that could be displayed on the window of vehicles using the station.

Mrs. Thomas said for example the sticker would display the Town of North Harmony emblem and have a space for a license tag number. She said if you can match the sticker to the license number you can be better assured that the person bringing trash is an eligible user.

There was discussion of having options for person's who bring their neighbor's trash and those with rental properties, etc.

Mrs. Carlson said we are just trying to find ways to reduce the tonnage and provide some options for people using the station. She said Mr. Penhollow has also indicated that if 25 or more people located on the lakeside of Rt. 394 were interested it might be possible to provide regular trash pickup for a fee.

There was further discussion of misuse of the transfer station during non-operation hours.

Mr. Stow said he feels that once the new highway building is complete a key deterrent to misuse of the transfer station will be to fence the entire area.

TOWN BOARD

1/9/12 (Pg. 4)

- NEWSLETTER

Mrs. Carlson asked that all articles for the newsletter be turned in no later than 1/23/12.

- ~~PROPERTY MAINTENANCE LAW~~ Law continue to be tabled until she has had an opportunity to meet with Mr. Stapleton, Mr. Lawson, the Justices and any other board member interested. She said she really needs more justification for the law.

- ~~BIDS FOR ELECTRICAL WIRING AT NEW HIGHWAY BUILDING~~ at the highway building:

Vidal Electric, LLC \$43,260.00

Sullivan Electrical Contracting \$43,290.00

Ahlstrom Schaeffer Electric Corp. \$48,200.00

Mr. Sena said the specifications were somewhat vague, but Ahlstrom Schaeffer and Vidal had clarified most of them. He said overall Vidal had provided the most specific bid per the specifications. He said neither Ahlstrom Schaeffer nor Vidal had provided for the transfer switch on the generator and the reason for that is because the generator has not been purchased yet. He said generally the generator is installed with a transfer switch specific to the model and the person installing the generator would be responsible for installing the switch.

Mr. Whitney asked how much extra the transfer switch would be.

Mr. Sena said it could be \$1,000.00, depending on what type of switch it is. He said Sullivan had not been specific on anything. He said he sees no reason not to accept the low bid on this.

- ~~MOTION #10 TO ACCEPT THE VIDAL ELECTRIC, LLC BID OF \$43,260.00 TO FURNISH THE ELECTRICAL SERVICE FOR THE NEW HIGHWAY BUILDING. MR. MCNEILL SECONDED AND THE MOTION WAS CARRIED UNANIMOUSLY.~~

- ~~NEW HIGHWAY BUILDING CHANGE ORDERS #4 AND #5~~ request to add an additional 40 feet of trench drain in the bay adjacent to the office/break room space in the new highway building. The request was communicated to the Engineer by Brian Stevens, who said it had been verbally authorized by Frank Stow. This request will result in an additional cost of \$3,514.00. Change order #5 resulted from the town's request to install a complete new natural gas service to the new highway building in lieu of utilizing the existing gas service equipment at the existing highway building. The cost of the additional natural gas service equipment includes labor and installation. This request will result in an additional cost of \$2,641.00.

- ~~MOTION #10 TO ACCEPT NEW HIGHWAY BUILDING CHANGE ORDERS SUBMITTED BY TOLMAN ENGINEERING AS FOLLOWS: #4 IN THE AMOUNT OF \$3,514.00 FOR AN ADDITIONAL 40' OF TRENCH DRAIN AND CHANGE ORDER #5 IN THE AMOUNT OF \$2,641.00 FOR NEW NATURAL GAS SERVICE EQUIPMENT AND INSTALLATION. MR. MCNEILL SECONDED AND THE MOTION WAS CARRIED UNANIMOUSLY.~~

TOWN BOARD

1/9/12 (Pg. 5)

Mrs. Carlson said that Building Innovations will be sealing the floor with sealant already purchased. She said this would not result in a change order. She said the change from clamp on to T-bars (snow catchers) for the roof may result in a change order.

There was general discussion of the efficacy of the different types of snow catchers.

- RAYNOR PROPERTY SURVEY AND SALE OF MITCHELL HOUSE

Mrs. Carlson said we have received the survey by Mike Masters on the Raynor Property next door. She said the boundaries have been marked and tagged. She said we need to decide what will be done about the sale of the Mitchell property (i.e. have property appraised, etc.). She said Mr. Masters wants to make sure the front boundary as marked is satisfactory before he marks the back boundary. She said she believes the front area is about 70' and at least one acre needs to be included with the house. It was discussed that Randy Holcomb, Kim Wilson or perhaps Louis Rieg could appraise the house.

- **MELLENBROOK BRIDGE** received phone calls today from people in the Quigley Park area questioning why she had not sent the letter to them regarding the bridge. She said she had not sent them a letter because she was addressing the people in the immediate area of the bridge. She said if anyone else needs a letter she will gladly send them one. She said the town is continuing to work on the bridge issue and will get the county engineers involved. She said she does not have a time frame, but it is not a dead issue.

Mrs. Parran asked when the town might be meeting with the county engineer.

Mr. Strickland said he had met with Lex Brumagen and he had correspondence with Mr. Ryan last year. He said he didn't know what it consisted of. He said there were some figures floating around and there was more than one option for the bridge. He said he thinks the bridge may need to be replaced. He said it could possibly be repaired. He said if the beams are to rotted you would have to take the beams off, sand blast them and then take measurements on the thickness of the steel to see if it is still thick enough to use. He said that is a lot of work and it would probably be smarter to replace the beams. He said a rough estimate for repair of \$137,000.00 had been given by the county, but he feels that would actually cover the cost of replacement. He said the county has faith in the railroad tracks that are the vertical support. He said the county indicated that the creek would have to be dammed up and it would have to be worked on one side at a time. He said cement would have to be poured in front of them on each side.

Mrs. Parran said the \$137,000.00 sounded better than the original \$250,000.00 figure that had been quoted to the town.

Mr. Strickland said he is not sure that the town highway department has the know how to do that type of job. He said the \$137,000.00 figure is if the county does the work and they cannot do the work because it is not the county's bridge.

Mr. Gould said the county has one bridge crew and they only have time to do about 4 bridges per year. He said usually culverts are cheaper than bridge replacement. Mr. Gould asked if the bridge is over 20' long because if it was the county would take it over.

Mrs. Carlson said it is only 18'. She said we continue to look at options for a solution.

Mr. Spinner said he wanted to make sure that access to emergency services; ambulance, fire department, etc., as well as access by postal and delivery services are considered in the town's decision. Mr. Spinner also discussed the clean out of Cheney creek and how late it had been done. It was explained by Mr. Lloyd that the town had no choice as they had to wait on a permit from the DEC.

Mr. Lloyd said the town currently has a permit from the DEC that goes through August, 2012, but have applied for a 5 year permit through Soil and Water Conservation.

TOWN BOARD

1/9/12 (Pg. 6)

Mr. Sena asked if there was any way to shore the bridge up with horizontal steel while we consider bids.

Mr. Stow said you cannot do that without an engineer's study.

Mr. Sena asked if the county could provide help as far as engineering and who they bid these jobs out to. He said we need to do something.

Mr. Gould suggested getting a list of companies the county has used in the past and asking them to look at it and give a bid.

Mr. Parran said many fisherman use that area to put their boats in.

Mr. Strickland said the figure given by the county is if they do the work. He said if you hire a contractor it will be twice as much. He suggested that he discuss further options with the county.

Mr. Stow said it appears there are 3 options: put in a concrete box; or a pipe; or rebuild the existing bridge. He asked Mr. Strickland if there are any other options.

Mr. Strickland said he had asked Lex about a pipe and got the impression it was frowned upon. He said he did not get a good explanation for the reasoning behind it.

There was further general discussion and Mrs. Carlson said until more information is received the town cannot promise anything.

• **NEW BUSINESS IN THE WORKPLACE** Health Representative had come to the offices for an inspection. She said he had left a DVD on Violence in the Workplace which all employees will be required to view. She said we will have a list that will need to be signed by employees indicating that they have viewed the DVD. She said there are also a couple of changes that need to be made at the community building; light in basement needs to be covered and two electrical outlets need faceplates.

• **MILICROSE CEMETERY** The tree branch had fallen at the cemetery and she would contact Dan Sullivan and ask him to remove the one branch and check on the other two trees.

• **MUJISARIEG SUGGESTIONS FOR REVIEW ON ZONING ORDINANCE** issues.
Mr. Rieg said basically it is a case study done on the sighting of an ethanol plant in Alabama and addresses what applicants have to go through. The material will be made available for the Planning Board to review.

• **ASSOCIATION OF TOWNS ANNUAL MEETING IN FEBRUARY, 2012** Resolutions will be voted upon by the various towns attending. She said we do not usually send a representative but this year she would like to send our proxy as these resolutions affect us. She said the resolutions include: Preserving and Strengthening Home Rule; Mandate Relief; Changing the Publication of Legal Notices to go into Community Newsletters or on the Internet; Road Preservation for Marcellus Shale Drilling; Animal Population Control funds to be retained locally. Mrs. Carlson said when the oil and gas companies had first started drilling in North Harmony; the Highway Superintendent had required that Bonds or funds be put aside for the repair of roads that might be damaged due to heavy rig use. She said there are a number of

TOWN BOARD

1/9/12 (Pg. 7)

resolutions and she would like to send our proxy on these votes with the Town of Ellery if they have a representative attending.

• **MOTION MADE BY MR. WHITNEY AND SECONDED BY MR. SENA, THE SUPERVISOR WAS AUTHORIZED TO SEND THE TOWN OF NORTH HARMONY'S PROXY VOTE ON PROPOSED RESOLUTIONS SPONSORED BY THE ASSOCIATION OF TOWNS AT THE FEBRUARY, 2012 CONFERENCE. THE MOTION WAS CARRIED UNANIMOUSLY.**

• **ESTABLISHMENT OF RESTRICTED FUND ACCOUNT FOR FUNDS RECEIVED FROM BPU WATER LINE HOOKUPS TO PAY FOR LINE REPAIR**

Mrs. Carlson said the town had received \$500 from the BPU for the installation of a water line at a home near BOCES. She said this fee was based on a 2005 Memorandum of Understanding between the town and the BPU. She said this money is set aside and its use restricted to an account used to repair lines.

Mr. Stapleton said the paragraph discusses the BPU billing people as they hook into the water lines and provides for three things: payment of the bond for the cost of the initial installation of the lines; administrative costs and maintenance of the lines. He clarified that this is not a tax that is being charged to everyone. He said it is only for those who hook into the water lines and the funds go into a restricted account.

- MR. STOW MOTIONED TO AUTHORIZE THE SUPERVISOR TO SET UP A RESTRICTED FUND ACCOUNT FOR MONIES RECEIVED FROM WATER LINE HOOKUPS IN ORDER TO COMPLY WITH THE AGREEMENT WITH THE BPU. THESE FUNDS ARE TO BE USED SOLELY FOR THE MAINTENANCE OF THE WATER LINES. MR. SENA SECONDED AND THE MOTION WAS CARRIED UNANIMOUSLY.
- **REPORTS:**

JAY GOULD, LEGISLATOR

Mr. Gould said the following had occurred in the Legislature's Reorganization meeting:

- Mr. Gould was elected Chairman of the Legislature 1/3/12
- A Clerk to the Legislature was appointed
- County is about \$15,000,000 behind in revenues and there are no reserves
- County Airport and Home are draining funds and parks are in trouble (only one park employee left)
- He has set up 6 committees and all Chairmen are Republicans
- An ad hock committee has been set up to work on saving the County Nursing Home

RANDY HOLCOMB, ASSESSOR

Mrs. Carlson said Mr. Holcomb's report indicates that the Enhanced STAR exemption forms have been mailed out and need to be returned by 3/1/12. The income limit is \$79,050.00 for the Enhanced STAR. Mr. Holcomb's office will be working with the Town Clerk on address changes and apportionments. His office continues to do data collection on new construction.

TOWN BOARD

1/9/12 (Pg. 8)

DAN STRICKLAND, HIGHWAY SUPERINTENDENT

Mr. Strickland said he has been busy trying to get acquainted with the M.E.O.'s and the job in his first week. He said the new building will be occupying a lot of their time. He commended Bryan Stevens for the great job he has been doing on the Highway Building. He said they had all met with the contractors on the job and he felt like a lot was accomplished. He said he had spoken to Lex Brumagen about both the Cheney Pt. Bridge and the Ramsey Road Bridge. He said the Ramsey Road Bridge is in pretty good shape and there are a few things the highway can do to maintain it. Mr. Strickland said the salt shed at the highway is a big concern. He said the walls are bowed out and the top is loose and he is concerned it will collapse.

Mr. Stow asked if the walls could be reinforced with cement blocks and dirt or sand.

Mr. Strickland said that would be a temporary solution. He said he believes the shed was purchased in 1999 or 2000.

There was further general discussion of the salt shed.

Mrs. Carlson said there will be an inspection at the highway building on Wed., 1/11/12, at 10:00 AM, and the contractor has invited those from the board interested to attend.

EVERETT BENSINK, JUSTICE (copy in Minute book)

Mr. Bensink read the court report for those present. He said that 12 applications have been received for the Deputy Court Clerk position.

Mrs. Carlson reminded the Justice's that their books needed to be audited by 1/20/12, and asked that they be available for board members.

BRAD LAWSON, ZONING CEO (Copy in Minute book)

Mr. Lawson said his report contains a few additions to the end of the year report. He said January is already starting out well, with possibly another home in Sunrise Cove.

DAVE LLOYD, STORMWATER PLANNER

Mr. Lloyd said he is working with Dave Wilson on the permit extension for Cheney Creek clean out. He said the permit on hand is good through August, 2012 so the cleanout will need to be done before the end of August. He apologized to the residents of the area for the late clean out this past year and explained the problems with DEC permitting.

Mr. Lloyd said he will be meeting with Mr. Strickland to go over all projects, both old and new. He said extensions have been received on both the Bly Hill and Water Garden Projects. He said he would like to set up a meeting with Mr. Strickland and Julius Leone, County Emergency Services, to discuss and review the town and county Emergency Planning and Mitigation update plans for 2012.

Mr. Lloyd said he is working with concrete suppliers, contractors and NY Concrete Construction Materials Association on a Grant for pervious concrete at the Rain Garden Project. He said he has completed the dialog work for the grant and has most of the materials, equipment and labor costs worked out. He said he is looking for County and State bids for the materials.

Mrs. Carlson said he might want to contact Tim Barron about the kiosk for the Rain Garden.

NANCY THOMAS, TOWN CLERK (copy in Minute book)

Mrs. Thomas said the clerk's office has been very busy. She said 2012 taxes had all been mailed and collection begins on Thursday, 1/12/12.

TOWN BOARD

1/9/12 (Pg. 9)

- MOTION # 13 OF 2012
ON A MOTION MADE BY MR. MCNEILL AND SECONDED BY MR. STOW, THE TOWN CLERK'S REPORT WAS ACCEPTED AS PRESENTED AND THE MOTION WAS

CARRIED UNANIMOUSLY.

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

- MOTION # 14 OF 2012

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

- MOTION # 15 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 # 16 OF 2012
MR. WHITNEY MOTIONED TO PAY THE HIGHWAY FUND VOUCHERS AS AUDITED AND REVIEWED EARLIER. MR. STOW SECONDED AND THE MOTION WAS CARRIED UNANIMOUSLY.
- MOTION # 17 OF 2012
ON A MOTION MADE BY MR. STOW AND SECONDED BY MR. SENA THE MEETING WAS ADJOURNED AT 9:00 PM.

Nancy Thomas
Town Clerk