

**TOWN OF NORTH HARMONY  
TOWN BOARD MEETING  
MONDAY, 10/14/13, 7:00 PM**

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

**OTHERS PRESENT:** Jay Gould, Legislator; Pierre Chagnon; Louis Rieg, Planning Board; Brad Lawson, Zoning C.E.O.; David Stapleton, Attorney; Howard Peacock, Justice; Everett Bensink, Justice; Barb Hoyt, AFD; Dan Strickland, Highway Sup't.; Robin Miller, Bookkeeper; Nancy Thomas, Town Clerk

- **PLEDGE**

- **MINUTES 09/09/2013**

- **MOTION # 106 OF 2013**

MR. MCNEILL MOTIONED TO ACCEPT THE MINUTES OF THE 9/9/13 SEOR AND PUBLIC HEARING ON LOCAL LAW #3-2013 AND THE MINUTES OF THE REGULAR BOARD MEETING AS PRESENTED BY THE TOWN CLERK. MR. WHITNEY SECONDED. AYE (4) WHITNEY, SENA, MCNEILL, CARLSON. NO (0). THE MOTION WAS CARRIED.

- **ANNOUNCEMENTS:**

- **STW - Fall Planning & Zoning Conference – 11/13-14/13 at Chautauqua Suites**
- **North Harmony Newsletter – Articles by 10/31/13**
- **Ashville Fire District 2014 Budget Hearing 10/15/13 at 6:30 PM**

- **PUBLIC COMMENT:**

- **CORRESPONDENCE:**

Mrs. Carlson said the following correspondence has been received and is available for review:

1. **NYS, DEPT. OF TAXATION - \$11,821.00 (Per Capita Aid?)**

2. **NYS CHIEF ADMINISTRATIVE JUDGE – Verification of Justices’ Book Audit**

3. **CHAUT. CO. HAZMAT RESPONSE TEAM – APPROVE**

Mrs. Carlson stated that the Chautauqua County Emergency Operations Plan for Town of North Harmony has been completed by Dave Lloyd.

4. **CHRIC – ASKING FOR INPUT ON STRATEGIC PLAN**

5. **NYMIR – Proposed Rate Adjustment (decrease) for 2013**

6. **ASSESSOR – AUGUST PROPERTY TRANSFERS**

7. STW – STORMWATER MANAGEMENT
8. MONTE KENNEDY – APPRECIATION FOR PAVING BLY HILL ROAD
9. AQUARI – AD FOR LED LIGHTING

- OLD BUSINESS:

- TRANSFER STATION CONTRACT

1. Arrangement
2. Cameras

*There was general discussion of the contract revisions to be made.*

**Mr. Whitney** said that he had two people tell him that a tip jar had been at the Transfer Station. He said he felt this was intimidating to people and it should be included in the contract that no tip jar be present. He said the changes he suggested were in response to the meeting held with Casella and the town board.

**Mrs. Thomas** said what she needed were any changes to the specifications so that the bid could be advertised.

**Mrs. Carlson** said we need to have bids so that we can calculate costs for 2014. Mrs. Carlson said she would get the changes to the clerk and they should be reviewed by Mr. Stapleton.

**Mr. Sena** said that at the meeting with Casella he understood that they were going to review the town's bid specifications and suggest changes. He asked if the Town Clerk had received anything.

**Mrs. Thomas** said no and Mrs. Carlson said she would contact them tomorrow.

- LOCAL LAW #3-2013 SITE PLAN REVIEW & STORMWATER FILED WITH NYS-DOS

**Mrs. Thomas** said she has received notification of the filing from NYS DOS effective 9/13/13.

- NEW BUSINESS:

- BAN RENEWAL - BOCES ROAD PUSH – Maturity Date 11/29/2013

**Mrs. Carlson** said this is the BAN that is solely paid by Hewes BOCES for the road push.

- MOTION # 107 OF 2013

MR. WHITNEY MOTIONED TO AUTHORIZE THE 2013 PAYMENT ON THE BOCES ROAD PUSH BAN BALANCE OF \$125,983.64 IN THE AMOUNT OF \$10,200.00 PRINCIPAL PAYMENT AND INTEREST PAYMENT (FIGURE NOT AVAILABLE). THE SUPERVISOR WAS AUTHORIZED TO SIGN ANY AND ALL DOCUMENTS TO RENEW THE BAN PRINCIPAL AMOUNT FOR 2014 OF \$115,783.64 AT THE PREVAILING INTEREST RATE. MR. SENA SECONDED. AYE (4); WHITNEY, SENA, MCNEILL, CARLSON. NO (0). THE MOTION WAS CARRIED.

- SCHEDULE PUBLIC HEARING

- -2014 PRELIMINARY BUDGET  
-SPECIAL DISTRICT BUDGET

**Mrs. Carlson** said that an article had appeared in Towns and Topics indicating that it was the responsibility of the town to notify all persons who benefit from a special district what that budget amount is and notify them of the hearing. She asked if the Wednesday following Election Day would work for everyone.

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- **MOTION # 108 OF 2013**

MR. WHITNEY MOTIONED TO HOLD A SPECIAL DISTRICT BUDGET AND 2014 PRELIMINARY BUDGET HEARING ON WEDNESDAY, NOVEMBER 6, 2013, AT 7:00 PM. MR. MCNEILL SECONDED. AYE (4): WHITNEY, SENA, MCNEILL, CARLSON. NO (0). THE MOTION WAS CARRIED.

- **ROOF AT LIGHTHOUSE PARK**

Mr. Sena said the roof at Lighthouse Park is in very poor condition. He said a preliminary cost for the roof (shingle with full tear off) was around \$3,500.00. He said he understands that the budget is tight and revenues are down. He said we are also looking at a new roof for the Mitchell property and perhaps the contractor who is providing a price for that could quote a cost for a metal roof for the pavilion as well. Mr. Sena asked if the town can close parks for the season. He said we are still getting all kinds of trash at Butts Park and it hasn't been emptied in at least 3 weeks.

Mrs. Thomas said she would contact Casella and ask them to remove the totes containers at Butts, Cheney and Lighthouse Park.

Mrs. Carlson asked Mr. Strickland to close and lock the gate at Butts Park when the trash container is removed.

- **SHERIFF'S CONTRACT 2014 – Court Security \$27.64/HR (not to exceed \$6,000)**

- **MOTION # 109 OF 2013**

MR. MCNEILL MOTIONED TO AUTHORIZE THE SUPERVISOR TO SIGN THE CHAUTAUQUA CO. SHERIFF'S CONTRACT FOR COURT SECURITY FOR 2014 IN THE AMOUNT OF \$27.64/HR. (NOT TO EXCEED \$6,000.00). MR. SENA SECONDED. AYE (4) WHITNEY, SENA, MCNEILL, CARLSON. NO (0). THE MOTION WAS CARRIED.

- **ALLOW BOARD MEMBERS TO PURCHASE HEALTH INSURANCE THROUGH TOWN**

Mrs. Carlson said the town had received a request to allow board members to purchase health insurance through the town's program at their own expense. She asked if there were any objections to that.

Mr. Whitney said the only factor would be the addition to the experience pool.

- **MOTION # 110 OF 2013**

MR. MCNEILL MOTIONED TO ALLOW TOWN BOARD MEMBERS TO PURCHASE HEALTH INSURANCE THROUGH THE TOWN'S PROGRAM ENTIRELY AT THEIR OWN EXPENSE. MR. SENA SECONDED. AYE (4): WHITNEY, SENA, MCNEILL, CARLSON. NO (0). THE MOTION WAS CARRIED.

- **REPORTS:**

**JAY GOULD, LEGISLATOR**

Mr. Gould said the following has occurred in the Legislature:

- Workman's Comp for North Harmony for 2014 is \$60,990.52
- Pistol permit income has increased due to volume of requests and \$70,000 has been added to that budget to handle the volume

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- 3% bed tax for tourism for 2014: Lucy Town ½ marathon \$7,260; Dunkirk Triathlon \$7,150; Celtic Festival \$6,500; Dunkirk Fest \$6,450; Lawson Boat Heritage Center \$2,200; N. Chaut. Co. Regional LWRP \$5,380; Health Care in America week at Chaut. Inst. \$2,680; Great Lakes Festival \$2,660
- Special meeting in Sept. to vote on Airport Grant
- Special meeting in Oct. to hear presentation from potential county home buyers
- Special meeting on 10/30/13 to vote on County Home
- Regular Legislative meeting for October will be focused on the budget (should be no increase from county)

### **RANDALL HOLCOMB, ASSESSOR**

Taxable assessment for Town of North Harmony is \$268,798,530.00.

**Mrs. Carlson** said it appears the tax rate will go up to about \$2.67/\$1,000 based on the preliminary budget. She said the things that went up are things beyond our control and we are not doing any raises.

### **DAN STRICKLAND, HIGHWAY SUPERINTENDENT**

**Mr. Strickland** said summer road work is winding down. He said the new truck has been delivered to Henderson in Watertown last week and he will make arrangements to go look at that. He said they have to decide how to patch in the highway parking lot.

**Mrs. Carlson** said she thought it was going to cost around \$17,000.00 to do that and they had discussed using the garage fund.

**Mr. Strickland** said to do the full paving, etc. it would cost that much, but it would depend on what the board wants to do. He said the \$17,000 is not an absolute nailed down number; it could probably be done for less. There was discussion of the amount of the bill for black top, oil, patching, etc.

*There was general discussion of the recycling station and broken glass and nails on the concrete pad. There was also general discussion of grant funding for a salt shed.*

**Mr. Strickland** said he does not foresee that there will be time to do the full paving of the parking lot this fall and perhaps they can just patch around the concrete pad to even it out. He said he would like to use the area (red part where the block structure was located) to pile his stone. He said this would reduce loss of stone in the dirt. He said he would use 2 levels of cement blocks on 3 sides to contain it.

The board said they would continue to discuss the idea.

There was discussion of the presence of a young lady at the transfer station helping with trash and whether or not she was authorized to be there as well as liability issues.

### **HOWARD PEACOCK / EVERETT BENSINK, JUSTICES (copy in Minute Book)**

**Mr. Bensink** thanked the town for authorizing his attendance at magistrates' school. He read the Justice report for the month of September 2013 into the record.

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

**Mr. Lawson** said he has issued about the same number of permits this year as last but the estimated building costs are way down. He said there have not been that many big projects. He said he plans to again host a contractors meeting to discuss and answer questions on codes. He hopes to get some sponsorship for this from Chautauqua Brick and B&L Construction. He said the Planning Board has been working on the proposed project at Ashville Bay and has met there to view the property and discuss mitigation with the developer. He said there are a lot of things that will need to be mitigated and it will all depend on what can be worked out.

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

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

- **MOTION # 111 OF 2013**

**MR. SENA MOTIONED TO ACCEPT THE TOWN CLERKS REPORT AS PRESENTED. MR. MCNEILL SECONDED. AYE (4) SENA, WHITNEY, MCNEILL, CARLSON; NAY:(0). CARRIED.**

**SALLY P. CARLSON, SUPERVISOR (Copy in Minute Book)**

- **MOTION # 112 OF 2013**

**MR. SENA MOTIONED TO ACCEPT THE SUPERVISORS REPORT AS PRESENTED. MR. MCNEILL SECONDED. AYE (4); SENA, WHITNEY, MCNEILL, CARLSON; NAY:(0). CARRIED.**

**COMMITTEE REPORTS:**

- **VETERANS MEMORIAL COMMITTEE – Meeting Thursday 10/24/13 at 10:00 AM**

- **MOTION # 113 OF 2013**

**MR. WHITNEY MOTIONED TO APPROVE THE GENERAL FUND VOUCHERS IN THE AMOUNT OF \$17,499.46 AS REVIEWED AND AUDITED EARLIER. MR. SENA SECONDED. AYE (4) SENA, WHITNEY, MCNEILL, CARLSON; NAY:(0). CARRIED.**

- **MOTION # 114 OF 2013**

**MR. WHITNEY MOTIONED TO APPROVE THE HIGHWAY FUND VOUCHERS IN THE AMOUNT OF \$202,788.73 AS REVIEWED AND AUDITED EARLIER. MR. MCNEILL SECONDED. AYE (4); SENA, WHITNEY, MCNEILL, CARLSON; NAY(0). CARRIED.**

- **MOTION # 115 OF 2013**

**ON A MOTION MADE BY MR. MCNEILL AND SECONDED BY MR. SENA, THE MEETING WAS ADJOURNED AT 8:50 PM.**

*Nancy M. Thomas*  
*Town Clerk*