

**TOWN OF NORTH HARMONY
TOWN BOARD MEETING
MONDAY, APRIL 8, 2013, 7:00 PM**

SALLY P. CARLSON, SUPERVISOR	PRESENT
RALPH WHITNEY, COUNCILMAN	PRESENT
FRANK STOW, COUNCILMAN	PRESENT
DICK SENA, COUNCILMAN	PRESENT
DUNCAN MC'NEILL, COUNCILMAN	PRESENT

OTHERS PRESENT: Jay Gould, Legislator; Louis Rieg, Planning Board; Brad Lawson, Zoning C.E.O.; Dan Strickland, Highway Sup't.; Dave Lloyd, Storm Water Planner; Dave Munsee; Dave Stapleton, Attorney; Robin Miller, Bookkeeper; Everett Bensink, Justice; Remington Whitcomb, Post Journal; Nancy Thomas, Town Clerk

- **PLEDGE**

- **MINUTES : 3/11/13:**

- **MOTION # 31 OF 2013**

ON A MOTION MADE BY MR. SENA AND SECONDED BY MR. MCNEILL, THE MINUTES OF THE 3/11/13 TOWN BOARD MEETING WERE ACCEPTED AS PRESENTED BY THE TOWN CLERK, UNANIMOUSLY.

- **ANNOUNCEMENTS:**

Fundraiser for Roger Vaillancourt – Sunday 4/14/13, 1 – 7:00 PM at Lakewood Legion

- **PUBLIC COMMENT:**

Dave Munsee Corn Stand at Ashville 4 Corners from July thru September, 2013

Mr. Munsee requested to once again set up a corn stand at the 4 corners of Ashville and provided a copy of his liability insurance to the Town Clerk. He said he would obtain the proper permit from Mr. Lawson.

- **MOTION # 32 OF 2013**

MR. MCNEILL MOTIONED TO GRANT PERMISSION TO DAVE MUNSEE TO SET UP A CORN/PRODUCE STAND ON TOWN PROPERTY LOCATED AT THE 4 CORNERS OF ASHVILLE FOR THE MONTHS OF JULY THROUGH SEPTEMBER, 2013, ON CONDITION THAT THE PROPER PERMIT IS OBTAINED FROM THE ZONING C.E.O. MR. SENA SECONDED AND THE MOTION WAS CARRIED UNANIMOUSLY.

- **CORRESPONDENCE:**

1. **SOUTHERN TIER WEST (STW) ANNUAL CONFERENCE: 5/8/13, 7:00 AM-4:00 PM**

2. **CHAUTAUQUA CO. DEPARTMENT OF INSURANCE – EXIT LIABILITY FOR WORKMAN’S COMP \$117,976**

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3. **NYS SENATOR CATHY YOUNG – Letter acknowledging receipt of TONH Resolution in Opposition to Safe Act Gun Law**
4. **ASSESSOR – SALES AND ASSESSMENTS**
5. **CHAUTAUQUA COUNTY EMERGENCY SERVICES**
6. **CHAUTAUQUA CO. VISITORS BUREAU – Annual Dinner 5/7/13**
7. **COMMUNITY FOUNDATION – Meeting at Jackson Training Center Sponsored by Hodgson Russ, Adam Walters will be speaking 4/23/13, 8:00 AM – 1:00 PM**
8. **NYS – DEC – “RELEAF” CONFERENCE 7/18-20/13, Marcy, NY**
9. **NYMIR – Annual Meeting Notice and Request for Proxy Vote**
 - **MOTION # 33 OF 2013**
MR. WHITNEY MOTIONED TO AUTHORIZE THE SUPERVISOR TO EXECUTE THE NYMIR PROXY ON BEHALF OF THE TOWN OF NORTH HARMONY. MR. STOW SECONDED AND THE MOTION WAS CARRIED UNANIMOUSLY.
10. **DIG SAFELY LETTER**
11. **PLANNING BOARD MINUTES 3/12/13**
 - **OLD BUSINESS:**
 - **HIGHWAY BUILDING – Asbestos / Water**
Mrs. Thomas said she had been in contact with John Neeson and John Rauh and they agreed to begin the removal of the asbestos at the old highway building on Thursday 4/11/13. She said it had been made clear that no work should be done on the weekends.
Mr. Sena said he had not received any information from J&T yet on the water issue at the new highway building. Mrs. Thomas said she would check with Culligan also.
Mr. Strickland said Culligan had tested the water and recommended a large softener. He said the water is improving some with use.
 - **PURCHASE OF NEW HIGHWAY TRUCK – Authorize Advertisement for Bids**
Mrs. Carlson said Mr. Strickland had spoken to her about a new truck.

Mr. Strickland said he can use County bid or Oneida County bid and could narrow the cost to \$190,000 - \$210,000 for the new truck. He said he could get the specifications.

- **MOTION # 34 OF 2013**

MR. WHITNEY MOTIONED TO AUTHORIZE THE HIGHWAY SUPERINTENDENT TO ADVERTISE FOR BIDS FOR A NEW PLOW TRUCK. MR. STOW SECONDED AND THE MOTION WAS CARRIED UNANIMOUSLY.

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- **HIGHWAY BUILDING – NEW SALT SHED**

Mr. Strickland said he would have prices for the salt shed by the next board meeting.

- **MOWING BIDS- 2013 – 2014**

Mrs. Carlson said the following bids were received for mowing of the town properties. She said she had added the quotes for each property up for a weekly total as follows:

	<u>Total</u>	<u>Hourly Rate Extra Work</u>
Lawns-N-More	\$330	\$10
R & R Landscaping	\$405	\$40
Eric's Property Maintenance	\$515	\$25
Northridge Services	\$485	\$35

- **MOTION # 35 OF 2013**

MR. SENA MOTIONED TO ACCEPT THE 2013 – 2014 BID OF NATHAN SHORT, LAWNS-N-MORE TO MOW CERTAIN PROPERTIES IN THE TOWN OF NORTH HARMONY AS OUTLINED IN HIS BID DOCUMENT. MR. MCNEILL SECONDED AND THE MOTION WAS CARRIED UNANIMOUSLY.

- **NEW BUSINESS:**

- **ANNUAL TRANSFER STATION REPORT FOR 2012**

Mrs. Carlson said the Annual Transfer Station report has been completed and filed with the DEC by Casella. She noted that tonnage was down by 27 tons from 2011.

Mrs. Thomas noted that of the 2012 total tonnage (landfill and recyclables) about 28.53% of everything brought to the transfer station is recycled.

Mr. Stow said that is remarkable and it should be noted in our next newsletter.

Mr. Strickland asked about County Amnesty for Towns at the landfill and if it could be used for disposal of the old highway building after the tear down.

Mr. Gould said yes you can use it for that but you have to talk to Mr. Spanos or Mr. Cantalese prior to bringing it because they do not want all the towns to bring their waste in one day.

Mrs. Carlson asked if there is a limit on tonnage.

Mr. Gould said he believes it is limited to one building or one house.

- **APPOINT REPRESENTATIVE TO EMERGENCY SERVICES – All Hazard Mitigation Committee – Recommend Dave Lloyd**

Mrs. Carlson said Chautauqua County Emergency Services is going to be re-doing their Multijurisdictional Hazard Mitigation Plan and she recommends that the town appoint Dave Lloyd to represent us as he has the experience with FEMA, SEMO, Hazard Mitigation and the Highway Department. She said that would alleviate some of the involvement as far as attending meetings for the Highway Superintendent and the Town Clerk although they would still be involved if the situation warrants it.

Mr. Lloyd said the meetings could be one to two times per week depending on what stage they are in. He said the first meeting will probably be the end of April. He said he put the town's plan together in 2006 so he knows what they are looking for and what has been mitigated and what other problems we have. He said if you don't do this you will cut yourself off from FEMA funding down the road.

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- **MOTION # 36 OF 2013**

MR. WHITNEY MOTIONED TO APPOINT DAVE LLOYD AS THE TOWN REPRESENTATIVE TO THE CHAUTAUQUA COUNTY EMERGENCY SERVICES MULTIJURISDICTIONAL HAZARD MITIGATION TEAM. MR. SENA SECONDED AND THE MOTION WAS CARRIED UNANIMOUSLY.

- **ASHVILLE PARK – Picnic Tables / Benches**

Mrs. Carlson said she had contacted Jamestown Advance Metal to get some prices for picnic tables and benches for the Ashville Area. She said she had also spoken to Mr. Strickland about the highway department putting them together. She said she hadn't received the prices yet.

Mr. Sena said Chautauqua Central School had just purchased some new ones made out of poly wood that are really nice. He said he would try to find out where they had purchased them. He said they use galvanized pipe.

- **David Munsee- Corn Stand in Ashville**

Addressed earlier under Public Comment

- **PLANNING BOARD – SITE PLAN REVIEW**

Mrs. Carlson said the Planning Board is still working on the Site Plan Review and once they have that done we will need to schedule a public hearing.

- **ANNUAL UPDATE DOCUMENT (AUD) FOR THE NYS COMPTROLLER**

Mrs. Carlson said Mrs. Miller has completed and filed the Town of North Harmony Annual Update Document (AUD). She said Mrs. Miller is also working on an update of the Town's Capital Assets.

- **NYS DOT – WALKING TRAILS**

Mrs. Carlson said she had spoken to a gentleman from DOT and they do have grants available for walking trails. She said she would like to pursue a trail through the Chautauqua Watershed property over to Hadley Bay and one along the edge of the Regner property to go into the state land. She asked if anyone had any objections to her investigating this possibility and none were forthcoming.

- **REPORTS:**

JAY GOULD, LEGISLATOR:

Mr. Gould said the following occurred in the Legislature:

- Jay Churchill appointed to Airport Commission
- Resolution for Town of North Harmony Court Security at \$27.64/HR not to exceed \$6,000.00
- Resolution sent to NYS to renew the 5% bed tax (must be done every 2 years)
- Jay will meet with Cathy Young and Andy Goodell on 4/19/13 to discuss cutting weeds on lake vs. shoreline preservation
- Sale of County Home failed and county will continue to look for a buyer
There was lengthy discussion of the county home and it was suggested that a petition for a referendum vote could possibly be sought if 5 or 10% of registered voting population signs. Mr. Gould said he would check into it.
- Mr. Gould appointed a County Salary Commission as required by the County Charter
- Proceeds from sale of building on S. Maple to Ashville Fire District for \$85,000.00 will help pay for seasonal staff for parks.

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- Town of North Harmony return of Dog License fees to town in amount of \$713.02

BRAD LAWSON, ZONING CEO (Copy in Minute Book)

Mr. Lawson said there has not been a lot of permitting this month. He said 2 homes are being worked on, Steffan's and Sampson's and the Bramble's home is up. He said he has plenty of inspection work to do. He said the ZBA will meet this month with at least one case. He said he had received a letter from Carl Beshara, a real estate specialist 2 with NYS, complaining about signs that are up along state roads in North Harmony (Ashville sign at BOCES; I-86 WCA sign). Mr. Lawson said he was not aware of any law that required notifying NYS about signs going up on the roads. He said Mr. Stapleton will check out the law on this.

DAVE LLOYD, STORMWATER PLANNER

Mr. Lloyd said he had meetings with Dave Wilson and Jeff Diers on 2014 bed tax Grants for the south side of Bly Hill. He said Mr. Diers is not too optimistic about the municipalities getting much more funding. He said Mr. Wilson would like to do a \$40,000 project but Mr. Diers thinks we would have a better chance of funding at a lesser amount. If all grants are funded at \$40,000 there will only be enough money to do 5 or 6 projects. He said hopefully we could get the south side of Bly Hill done for \$20-25,000 if we do the work ourselves, but we only have until 6/1/13 to apply.

There was discussion of whether or not an engineer needed to be involved. Mr. Gould said probably one should be and Mr. Strickland said he did not feel one was needed. Liability issues were mentioned.

There was general discussion of things that could be done on Bly Hill to reduce runoff and perhaps alleviate some of the flooding at Neits Crest due to the large pipe the NYS DOT installed there.

Mr. Lloyd said he had trimmed the trees and plants at the Ashville Rain Garden and will do the same at Cheney Creek this week. He said he would re-mulch both as soon as the plants start greening and growing. He noted that the new trees at the community building have been completely girdled.

Mr. Lloyd said he and Betsy Burgeson have discussed the possibility of a Farmer's Market somewhere in Ashville. He said the Farmer's Market Federation has all the information one would need to get one started. He said maybe the area where the old fire department building was would be a good spot.

DAN STRICKLAND, HIGHWAY SUPERINTENDENT

Mr. Strickland said he had met with Lex Brumijan from the county about Cheney Bridge and they will be starting some of the manufacturing next week. He said they will wait for snow melt to get into the creek and do the concrete work. He said they will gravel dirt roads in early spring and will be using some shared services for that. He said they will be doing patching a little later than normal this year. He said they hauled sand last week and will haul stone this week.

Mrs. Carlson asked how soon we could do an open house at the new building.

Mr. Strickland said that is kind of up to the board.

Mrs. Thomas said maybe the open house could be coincided with the beginning of the mandatory date to use the new stickers for the transfer station (6/1/13). She said this would give people an opportunity to see the new building and to apply for their transfer station sticker.

There was further general discussion and it was decided to aim for a 6/1/13 open house.

NANCY THOMAS – TOWN CLERK (copy of report in Minute Book)

Mrs. Thomas said 2013 tax collection is pretty much complete. She said all we have to do now is return the roll to the county and do the final report. She said of the total warrant amount about 7.56% remains unpaid.

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- **MOTION # 37 OF 2013**

ON A MOTION MADE BY MR. STOW AND SECONDED BY MR. SENA THE TOWN CLERKS REPORT FOR MARCH, 2013, WAS APPROVED AS SUBMITTED, UNANIMOUSLY.

EVERETT BENSINK, JUSTICE (copy of report in Minute Book)

Mr. Bensink read into the record the court report for March, 2013. He also read the court reports for March and April, 2012, as the board had asked for a comparison. Mr. Bensink spoke about the fact that Chautauqua County Sheriff Officer Hover has not been allowed to ticket on I-86 in North Harmony this year and that is why revenues are down.

SUPERVISOR, SALLY P. CARLSON

- **MOTION # 38 OF 2013**

ON A MOTION MADE BY MR. STOW AND SECONDED BY MR. SENA, THE SUPERVISOR'S REPORT FOR MARCH, 2013, WAS APPROVED AS SUBMITTED, UNANIMOUSLY.

- **MOTION # 39 OF 2013**

MR. WHITNEY MOTIONED TO PAY THE GENERAL FUND VOUCHERS IN THE AMOUNT OF \$12,182.32 AS REVIEWED AND AUDITED EARLIER. MR. MCNEILL SECONDED AND THE MOTION WAS CARRIED UNANIMOUSLY.

- **MOTION # 40 OF 2013**

MR. WHITNEY MOTIONED TO PAY THE HIGHWAY FUND VOUCHERS IN THE AMOUNT OF \$18,898.67 AS REVIEWED AND AUDITED EARLIER. MR. MCNEILL SECONDED AND THE MOTION WAS CARRIED UNANIMOUSLY.

FRANK STOW, VETERAN'S COMMITTEE

Mr. Stow said he has not heard back on granite prices for the Veteran's Monument. He said he was told by Barmore that they do not make the rims for the wheels on the canons any longer and asked if anyone knew of someone who could manufacture them.

Mr. Strickland said perhaps the highway could fabricate something.

Mrs. Carlson thanked Mr. Strickland for replacing the flag at the park. It was also noted that a new POW Flag is needed at the park.

NEXT MEETING 4/25/13 AT 10:00 AM WITH REX TOLMAN AND STEVE FROM JENSEN HAGLUND.

- **MOTION # 41 OF 2013**

ON A MOTION MADE BY MR. SENA, SECONDED BY MR. STOW, AND NONE BEING OPPOSED, THE MEETING WAS ADJOURNED AT 8:00 PM.

*Nancy M. Thomas
Town Clerk*