

May 11, 2010
Town Board Minutes

The regular town board meeting was held on May 11, 2010, at 6:00 P.M. at 12 Lewis Street, Town of Maine, County of Broome and state of New York.

PRESENT:

Supervisor: George Ludington
Councilman: Ernie Palmer
Councilman: Roger Congdon
Councilman: Todd Rose
Councilman: Robert Bullock

Town Attorney: Cheryl Insinga
Deputy Clerk I: Peggy Bowles
Deputy Clerk II: Joyce Grover
Code Enforcer: Dan Napierala
Bookkeeper: Nancy Treat
DCO: John Williams
Hwy. Supt: Charles Kaczynski

Also present were Leland Gayne, Ellen Vachon, Troy Smith and Gerard Lenzo.

Supervisor Ludington called the meeting to order at 6:00 P.M.
All joined in the pledge to the flag.

Karen from the recreation committee spoke about the mother/son breakfast they had about 100 participants. It was down from last year. Their next meeting will be tonight at 7:00 P.M. They had two people resign from their committee. They are Sylvia Ward and Cynthia Brizzolara. They now have one vacancy for their committee.

Attorney Insinga reported that she has been talking to banks about a quote for a new truck. It is a 2009 new and unused International truck with a body/plow package. She had sought five bids. She went to TSB; no bid, Chase; no bid, Chemung – 3year (callable and non) 2.10%; 5 year (callable and non) 2.60%, HSBC; no bid and NBT 3 years (non) 2.70%; 3 year 2.95%; 5 year (non) 3.35% and 5 year (callable) 3.70%. The amount we will be borrowing is \$182,146.79 and the truck should be here in about 30 days.

Councilman Bullock made the motion to go with the bid from Chemung Bank at the interest rate of 2.6% for the five-year period. If we are able to pay it off in three we would be able to do it. Councilman Palmer seconded. Roll call vote: Palmer: aye, Congdon: aye, Ludington: aye, Rose: aye, Bullock: aye. Motion carried.

Chesapeake gas would like to come and talk to us, but it would be a special meeting because they have a conflicting schedule with our regular meetings. Attorney Insinga will see if they are available on June 22nd for the special meeting with the Planning/Zoning Boards.

Broome County wants the voting machines. It was decided that if they will let the historical society have one, then the county could have the other three. The Town of Maine bought them and paid for them, but the law that the state passed in 2006 gave them to the county.

Attorney Insinga needs to advertise and post for the fuel pump issue.

Councilman Congdon made the motion for Attorney Insinga to advertise and post for the fuel pump. Councilman Palmer seconded. Roll call vote: Palmer: aye, Congdon: aye, Ludington: aye, Rose: aye, Bullock: aye. Motion carried.

Councilman Congdon made the motion for Attorney Insinga to advertise and post for overhead doors for the highway garage. Councilman Palmer seconded. Roll call vote: Palmer: aye, Congdon: aye, Ludington: aye, Rose: aye, Bullock: aye. Motion carried.

The subject of the site plan review was brought up again. Todd stated that there is confusion about what is needed for a site plan. Attorney Insinga will write an adjustment for the site plan review. Todd would like to sit down with Bob Bullock, Attorney Insinga, Larry Maier and Lee Gayne to talk things over.

Councilman Congdon made the motion to approve the minutes from April 13th meeting and the April 20th special meeting. Councilman Bullock seconded. Vote: all ayes. Motion carried.

Councilman Palmer made the motion to approve the audited bills. Councilman Bullock seconded. Roll call vote: Palmer: aye, Congdon: aye, Ludington: aye, Rose: aye, Bullock: aye. Motion carried.

General: Voucher # 214 – 274 for a total of \$18,325.33
Highway Voucher # 127 – 167 for a total of \$28,069.84
Lighting District #1 Voucher# 267 – 269 for a total of \$406.39
Lighting District #2 Voucher # 270 – 271 for a total of 375.44
Lighting District # 3 Voucher # 272 for a total of \$76.00

Councilman Congdon made the motion to approve the transfers. Councilman Bullock seconded. Roll call vote: Palmer: aye, Congdon: aye, Ludington: aye, Rose: aye, Bullock: aye. Motion carried

Highway:
Transfer: \$2,100.00 from DA5110.44 stone to DA5120.4 Culverts

General:
Transfer: \$ 10,000.00 from A5010.11 highway secretary to Unemployment insurance
Transfer: \$7,000.00 from A 1320.11 bookkeeper to A9050.8 unemployment insurance
Transfer: \$662.00 from A7110.1 parks pers. serv. To A9050.8 unemployment insurance
Transfer: \$2,600.00 from A1990.4 contingency to A8010.4 ZBA contr.
Transfer: \$2,600.00 from A1990.4 contingency to A8020.4 Planning Bd. Cont
Transfer: \$800.00 from A1990.4 Contingency to A1420.47 Law cell towers

Councilman Bullock made the motion to approve the consent calendar. Councilman Palmer seconded. Roll call vote: Palmer: aye, Congdon: aye, Ludington: aye, Rose: aye, Bullock: aye. Motion carried.

Councilman Palmer made the motion to accept the resignation of Sylvia Ward and Cynthia Brizzolara from the recreation committee. Councilman Congdon seconded. Vote: all ayes. Motion carried.

OPEN FLOOR

The first speaker stated that the little league would like to put up two batting cages on Zimmer Field. He stated that they are 75'X30' and they would be putting in crushed stone. They have removal sleeves. Supervisor Ludington asked Troy to check on where they would be storing them. There have been problems in the past with equipment being stored in the building where the water pump is. Todd stated it would be stored where it will not be a problem. If necessary, one of the members will take it home to store it. It will not have a pitching machine, but it will have four sides of netting. Troy also asked about the paint that they painted the restrooms with. He would like to paint the rest of the building with this same green. Attorney Insinga stated that the town cannot donate to an organization. If they were to buy the paint then we could go from there. He does think they have money in their budget to buy it. The subject was then brought up that perhaps they could get inmates from Broome County Jail to do the work for them. Troy was also told to check and see if they had the town named as additional insured.

The next speaker stated he was here last year and is wondering how long it will be before the state lowers Rt. 26 street in front of his house. He stated that he has lived here for 43 years and the road is way above his house and driveway. He was told that is a state highway and the town cannot do anything about it. Right now the state is low on money so no one can say when it will happen.

REPORTS

John stated that everything is slow right now. He has picked up 7 dogs so far this year.

Dan stated that he is getting busy now. Everything is starting to open up and more building permits are being issued. He went to Albany about the Ag. & Markets law. He learned much while there and they will get him some bulletins to get some of the gray areas cleared. There was discussion about the gas trucks that may be coming into the town if they do drill here for natural gas. Perhaps we should be charging for the number of times the trucks go over the road rather than the weight of the trucks. The next item was the number of acres that a person would need to have a few chickens. Right now it's 20 acres. It was felt that this needs to be changed. Lee thinks we should revisit the law and make some changes. He would like to have the law changed. Attorney Insinga will draft something up.

Todd brought up the Darling's property again. He stated that they had two loads of logs delivered in March or April. He felt that they were going to try and do the chipping of the logs.

Nancy Treat spoke about the retirement paperwork that the employees that are on should be ready for next months meeting. She had a request from the county for a copy of the budget.

Chuck stated that Mr. Bystrak on Airport Road has donated 40 pieces of guard rail panel for gratitude for the town cleaning out the drainage ditches on Bartell Road/Jolene Drive. It has a value of about \$1,600.00. Nancy Rutkowski will write them a thank you letter.

He has taken another 100 tons of salt from Cargil so we won't be charged a storage fee. He would like to put guardrails on Hand Road. It is half ours and half the Town of Chenango and he would like to have them pay half of the cost. Clean up days went well. We ran out of containers so he called Lantz's Junkyard and had them bring down two tractor trailers and two dumpsters. Nancy will also write them a thank you letter for helping us out. He also had a call from a lady on the corner of RT 26 and Flint Rd. she was concerned about the trucks going over the wooden bridge there. there used to be a weight limit on it, but the signs have since been taken down. The code enforcer checked into it and there was indeed a weight limit of 9 tons on the bridge. Chuck ordered more signs and they will be put back up. He called DEC about the gravel buildup in Pollard Hill Road Bridge. He needs a permit to clean it out. They are complying them now. Chuck would also like to have the money put into the highway fund from a scrap pipe he would like to sell instead of having it put into the general fund. Nancy Treat will check into it and see what has to be done. The piling on Lewis Street is moving that was put along Lewis Street to keep the water from washing out the road. He also asked Attorney Insinga to look into the abandoned roads. He had asked the town engineer a while back but due to health problems it has not been done yet.

Ernie stated that National Night Out will be August 3rd this year. He has a \$3,500.00 outstanding grant. He would like to change this from the camera, trees for the park, and the chairs to getting two signs for East Maine Road. No one had a problem with this change.

Roger stated that the East Maine Fire Co had 8 calls for the month of April. Five were fire, three were medical.

Bob said he had a call from someone wanting to know if we have a fund for burial of veterans. The answer was no.

Todd stated that in October, Frank was approved with 6 stipulations on his restaurant. He wants to know if they have been completed yet. He has purchased the Davey property. There was talk that he wanted to do an addition on the side of his restaurant and enlarge the seating. He would like to see this being taken care of. The business behind the restaurant on the other side of the street was also approved with four stipulations. They were noise, fencing, hours and conflict with the town activities. He is having problems with getting an answer from NYSERTA, if he can't get an answer this week, he will give it over to Ernie.

Nancy stated that she went to the town clerk's conference and the biggest change is that NYS Ag. & Market is done doing dogs the end of 2010. It will now be up to the town clerk to print off the licenses and get a program to do the paper work. There is not a program out there yet that can do the licenses. She will also need to find a company to make the dog license tags. She will be able to keep the money that the state now gets but there will be a big cost getting started. She was delivered a book of the additions they are planning for the airport. The town engineer looked it over and said everything looked good to him. Roger would like to look over the book. It is to stay in the clerk's office for anyone who comes in to look at. She stated that taxes are over and this year she only had two bounced check. Last year there were about eight.

George thanked the board for all of their cooperation. This has been a really good board to work with and he wanted them to know how much he appreciated it. There is still big concerns with the gas drilling down the road in time. There are a lot of decisions to be decided on. The department heads have started to meet every Monday morning to discuss things. We received a check for the Davey Property of \$8,594.72 for our share of the money.

Councilman Congdon made the motion to go out of regular session and into executive session for reason of medical, financial, credit or employment history of a particular person or corporation, or matters leading to said dismissal, removal, promotion, appointment, employment, discipline, demotion or suspension. Councilman Bullock seconded at 7:48 P.M. Vote: all ayes, Motion carried.

Councilman Rose made the motion to come out of executive session at 8:57 P.M. councilman Bullock seconded. Vote: all ayes. Motion carried.

No action was taken while in executive session.

Councilman Congdon made the motion to adjourn at 9:00 P.M. councilman Rose seconded. Vote: all ayes. Motion carried.

Respectfully submitted:

Date approved: _____

Nancy Rutkowski, RMC, CMC