

**Town of Colesville
Town Board Meeting
February 5, 2015**

Minutes of the regular Town Board Meeting of the Town of Colesville held at the Town Hall Building, 780 Welton Street, Harpursville, New York, with the following members and guests present:

Supervisor Glenn Winsor
Councilperson Margaret Wicks
Councilperson Gordon Carroll
Councilperson Michael Olin
Councilperson Douglas Rhodes

Town Clerk - Tomi Stewart
Highway Superintendent – James Bulger
Code Enforcement- Brad McAvoy
Town Attorney – Alan Pope

Guests: Gary Cower, Mary Ann Oliver, Janet McKnight

Supervisor Winsor called the meeting to order at 7:00 pm; followed by the Pledge of Allegiance.

Supervisor opened the public portion of the meeting for comments or concerns; hearing none the public portion of the meeting was closed.

Resolution # 25.16

Resolved, that the Supervisor is authorized to enter into an **agreement** with the **Onaquaga Historical Society** for various services to the Town, all as outlined under the attached proposal entitled "Agreement", for the sum of nineteen hundred dollars (\$1,900.00) for the year 2016. Motion made by M. Olin and seconded by D. Rhodes

Adopted Ayes 5 Olin, Carroll, Winsor, Rhodes, Wicks
Noyes 0

Resolution # 26.16

Resolved, that the Supervisor is authorized to enter into an **agreement** with the **American Legion Post 1596**, for various services to the Town, all as outlined under the attached proposal entitled "Agreement", for the sum of one thousand two hundred twenty five dollars (\$1,225.00) for the year 2016. Motion made by D. Rhodes and seconded by M. Wicks.

Adopted Ayes 5 Olin, Carroll, Winsor, Rhodes, Wicks
Noyes 0

Resolution # 27.16

Resolved, that the Supervisor is authorized to enter into an **agreement** with the **Eastern Broome Senior Center**, for various services to the Town, all as outlined under the attached proposal entitled "Agreement", for the sum of thirteen hundred dollars (\$1,300.00) for the year 2016. Motion made by D. Rhodes and seconded by M. Wicks

Adopted Ayes 5 Olin, Carroll, Winsor, Rhodes, Wicks
Noyes 0

Resolution # 28.16

Resolved, that the Town of Colesville enter into an **arrangement** with the New York State **Office of General Services** for the purchase of Gasoline, Heating Oil and Diesel Fuel on the State Contract Basis. Motion made by M. Olin and seconded by M. Wicks.

Adopted Ayes 5 Olin, Carroll, Winsor, Rhodes, Wicks
Noyes 0

It was the consensus of the Board to table the following resolution until the costs of the audits has been confirmed with Mr. Wolyniak.

Resolution # 29.16

Resolved that Mike Wolyniak will prepare an **audit of the financial statements** for the following offices; Justice, Highway, Town Clerk/ Tax Collector and Supervisor is herein approved.

Resolution # 30.16

Resolved, that the Town Board does herein authorize the Highway Superintendent to conduct a **Cleanup Collection Day** to be held on Friday May 20, 2016 and Saturday May 21, 2016, at the Colesville Town Garage. Materials to be accepted shall include bulk items, white goods, scrap metal, sofas, chairs, carpets, windows, wastes from illegal dump site cleanups and similar items. Motion made by G. Carroll and seconded by D. Rhodes.

The Board discussed the cost of collecting tires: it was determined that tires from passenger cars will be \$2.00 each.

Adopted Ayes 5 Olin, Carroll, Winsor, Rhodes, Wicks
Noyes 0

Resolution # 31.16

Resolved that Lori Jo Hawkins and Fran Bromley be **re-appointed** to the **Nineveh Public Library** Board with respective terms expiring 12/31/2021 is herein approved. Motion made by M. Wicks and seconded by D. Rhodes.

Adopted Ayes 5 Olin, Carroll, Winsor, Rhodes, Wicks
Noyes 0

Resolution # 32.16

Resolved, that the Town Supervisor is authorized to sign the Joinder **Agreement** to participate in the **Susquehanna Heritage Area Commission** and Albert Dauphinais is representative for the this commission, is herein approved. Motion made by M. Olin and seconded by G. Carroll.

Adopted Ayes 5 Olin, Carroll, Winsor, Rhodes, Wicks
Noyes 0

Resolution # 33.16

Be it resolved that the **Highway Superintendent** is authorized to attend the **Annual School** for Highway Superintendents to be held in Ithaca, New York on June 6 - 8, 2016, with an advance of \$500.00, is herein approved. Motion made by D. Rhodes and seconded by M Wicks.

Adopted Ayes 5 Olin, Carroll, Winsor, Rhodes, Wicks
Noyes 0

Resolution # 34.16

Resolved that Jamie Kratz is hereby authorized to work as an independent contractor to scan the CDBG (Community Development Block Grant) original paper records into a **digital image** and that each image be readable is herein approved. Motion made by M. Wicks and seconded by D. Rhodes.

Adopted Ayes 5 Olin, Carroll, Winsor, Rhodes, Wicks
Noyes 0

Resolution # 35.16

Resolved, that the attached entitled "Applicants for 2014 **CDBG Program**, Submission F" is herein approved. Motion made by M. Wicks and seconded by D. Rhodes.

Adopted Ayes 5 Olin, Carroll, Winsor, Rhodes, Wicks
Noyes 0

Mr. Bulger explained that the following resolution was necessary because in 2010 Allen Road was dropped from the States inventory list of roads maintained by the Town of Colesville.

Resolution # 36.16

Resolved that the Town of Colesville acknowledges that **Allen Road** (also known as William Allen Road) has been a road by use of the Town of Colesville prior to 1940 and has been continuously maintained by the Town of Colesville. Be it further resolved the Town of Colesville will accept and maintain Allen Road (the length of 2.3 miles) starting point NY State Route 7 and proceeding in a northerly direction ending at Holcomb Road, with a width of 18 feet and shoulders of 2 feet (two lanes) is herein approved. Motion made by D. Rhodes and seconded by M. Olin.

Adopted Ayes	5 Olin, Carroll, Winsor, Rhodes, Wicks
Noyes	0

Reports submitted in the Board's monthly folder included monthly reports from the Supervisor, Town Clerk, Tax Collector, Code Enforcement Officer and Dog Control Officer.

Committee Reports:

Highway - J. Bulger reviewed prices he received for the 2016 one-ton pick- up truck with a dump body from NJPA. Mr. Pope stated that other municipalities are beginning to purchase from this Joint Power Alliance. Mr. Bulger also said that he checked local prices and Matthews Auto and they said that they are willing to honor a state bid price; however additional 2 to 3 % would be added to the state's price.

Mr. Bulger explained that the under braces of the flatbed on the town's truck that he drives has deteriorated. He received and reviewed replacement costs for the flatbed with the Board.

Resolution # 37.16

The Town Board hereby authorizes the Highway Superintendent to purchase an aluminum flat bed from Martin Welding & Repair for a cost \$2,290.00 and a cost \$450.00 for installation for a total of cost not to exceed \$2740.00 Motion made by M. Olin and seconded by M. Wicks.

Adopted Ayes	5 Olin, Carroll, Winsor, Rhodes, Wicks
Noyes	0

White goods collection days and time will be Friday May 20th from 8 am to 2 pm and Saturday from 8 am to 1:30 pm. Cost of collecting tires is \$2.00 each for cars and light trucks, \$5.00 for heavy truck tires and \$10.00 for large tractor trailer tires.

J. Bulger reviewed three quotes received for the renting of a broom to sweep the Town Roads during the month of April.

Resolution # 38.16

Resolved, that the Highway Superintendent is authorized to **rent a commercial road broom** from Monroe Tractor for the Month of April, to sweep the town's roads for a price not to exceed \$2250.00. Motion made by M. Wicks and seconded by D. Rhodes.

Adopted Ayes	5 Olin, Carroll, Winsor, Rhodes, Wicks
Noyes	0

J. Bulger will be representing the Broome County Association of Highway during Advocacy Day being held on March 9, 2016, in Albany. The Association has asked him to lobby for additional money. Municipalities will not be receiving extreme winter money this year because we have not been experiencing an extreme winter; however our local roads are still in poor condition from previous winters.

G. Carroll asked if he would look into why the State uses excessive road salt. Mr. Carroll referred to an article that said; on the average it costs New Yorkers \$1,800.00 per year in damage to their vehicles.

Mr. Bulger said that the State has a "clear road policy" and that NYSDOT does not have the budget constraints or a tax cap as Municipalities have to uphold. Mr. Winsor suggested that the State has the policy because of lawsuits. The storage of road salt that has been ordered and not used was discussed.

General Discussion:

Zoning Board/Planning Board – M. Wicks discussed the joint meeting held by the ZBA and Planning Board, she stated that the applicant may have been a bit confused regarding a use variance and special permit. And questioned whether or not the applicant would continue with his application. B. McAvoy said that the applicant was in and said that he is going to move forward.

G. Carroll noted that because of the infrequency of meetings held, and having a large turnover of members on both Boards and then having a joint meeting of the two Boards; unfortunately it did seem confusing.

To help eliminate any possible conflict or confusion Mr. Pope and the Town Board continued their discussion on possibly changing the meeting nights of the two Boards. G. Carroll said that there was a concurrence of both Boards that changing the meeting date would be a better order of progression.

Mr. Winsor concluded by saying that the Planning Board rules were established by Local Law therefore, a local law needs a public hearing. B. McAvoy suggested changing Section 3.1.1 of Local law # 2-1995 governing the meeting night and time that the Planning Board meets. Whereby the Zoning Board rules were established by resolution and changing the meeting night for the ZBA could be passed by the Town Board adopting a resolution.

M. Wicks noted that a joint meeting of the two boards would be held on February 18th to continue Mr. Dart's Site Plan, Use Variance and Special Permit Application.

With regards to the following resolution, Mr. Carroll asked if there is an interview process of appointing new members to either the Planning Board or the Zoning Board of Appeals. Mr. Winsor said that the Board has held interviews. Mr. Winsor agreed that as we move forward with potential appointees they will come before the Town Board for consideration.

Resolution # 39.16

Resolved, that **Alex McLaughlin** is hereby appointed to the **Planning Board** to fill the unexpired term of Edward Fairchild from 02/05/2016- 12/31/2022. Motion made by M. Wicks and seconded by M. Olin.

Adopted Ayes 4 Olin, Winsor, Rhodes, Wicks
Noyes 0
Abstain 1 Carroll

Youth – M. Olin said the committee met on January 20th. They are looking into holding a community fun day at the Animal Adventure Park and also sponsoring a program on the fundamentals on softball and track.

Enforcement – B. McAvoy reported on the number of building permits and parking warnings issued in January. He also noted that the Order to Remedies issued have been brought into compliance.

B. McAvoy and Mr. Pope are continuing to address the legal proceedings in County Court and the Supreme Court regarding the Page property. B. McAvoy has also been looking into the junk yard/used car lot on NY Rte 7.

Resolution # 40.16

Resolved, that the Town Board has audited and **approved payment** of General Fund bills # 24 through # 52 totaling \$87,583.78, Highway Fund bills # 19 through # 42 totaling \$24,924.19 and CD Housing Grant #264 CRF-HR96-14 bills # 20 through # 23 totaling \$70,773.78. Motion made by G. Carroll and seconded by M. Olin.

Adopted Ayes 5 Olin, Carroll, Winsor, Rhodes, Wicks
Noyes 0

M. Wicks reviewed the revised definitions of controlling junk within the Town as suggested by the Council Members. M. Wicks asked Mr. Pope to put together the proposed requirements that would develop an enforceable regulation with restrictions and penalties. Also mentioned was even though the town mainly consists of rural agricultural zoning, there are homes on two acres in which they should also be considered a residential area.

Mary Ann Oliver mentioned a large rented garbage dumpster that has become filled and where debris is blown outside the dumpster. B. McAvoy will be inspecting the situation.

Gary Cower asked if there are established guidelines from other rural townships that are dealing with the same issues, would help to define storage container regulations. B. McAvoy said that for right now what is out there is hodge-podge. M. Wicks said that a lot of local municipalities that she has been in contact with refer to the New York State Property Maintenance Code; which is very broad and is not specific to our town.

After no further discussion, G. Carroll asked Mr. Pope if he would put together the proposed regulations with the same enforceable provisions as the junk ordinance.

T. Stewart and the Board continued their discussion on conducting a Dog Enumeration.. T. Stewart said that she contacted two different municipalities and they preformed their enumeration differently. One sent post cards and the other had their Dog Control Officer go door to door for an actual count. Both municipalities were effective in increasing the number of dogs licensed and therefore generating more revenue for the Town. Mr. Winsor asked D. Rhodes to talk with the Dog Control Officer.

D. Rhodes also discussed a letter of complaint received regarding a resident of Parkview Road who continuously picks up dogs that are not hers and the dog owners feel as though they are

being harassed by her when their dog is removed from their property. Mr. Pope explained that because it is a civil matter they need to contact the Broome County Sherriff's Office.

D. Rhodes also mentioned that during the meeting held by the Broome County Association of Town's, the Supervisor of the Town of Binghamton talked about the money sent to NY State Ag. & Mkts. for each dog licensed. It is his feeling that since the State no longer has any part of the dog licensing process they should not be receiving town's revenue, when the towns are fully responsible for administrating the process. He also suggested pulling local money from the municipalities and then turn over some of the money to the County and have them takeover part of the process.

T. Stewart said that she is going to talk to the vendor who writes the tax collection software to see if the printing and preparation of tax bills can be done at the Town to reduce some of Broome County's charges. And now that tax information is available on line sending out paid receipts may not be necessary, or ask the payer to send a self address stamped envelope for a paid receipt, which would also save the Town the money.

J. Bulger reviewed with the Board the bids received for the 2016 one-ton pick up truck with a new dump body.

Resolution # 41.16

Resolved that the **Highway** superintendent is authorized to **purchase a new 2016** Chevrolet Silverado 3500 HD **pickup truck** with a new dump body at a cost not to exceed \$46,415.00
Motion made by M. Wicks and seconded by G. Carroll

Adopted Ayes 5 Olin, Carroll, Winsor, Rhodes, Wicks
Noyes 0

Motion made by M. Olin and seconded D. Rhodes by to approve of Minutes of the Town Board meeting held on December 17, 2015 with the correction of the word revision of the Comprehensive Land Use Plan to implementation of the Comprehensive Land Use Plan.

Adopted Ayes 4 Olin, Carroll, Winsor Wicks, Rhodes
Noyes 0

Motion made by D. Rhodes and seconded M. Olin by to approve of Minutes of the Town Board meeting held on January 7, 2016 with the correction that the Planning Board would review a site plan and not an interpretation. And also with the correction of the word revision of the Comprehensive Land Use Plan to implementation of the Comprehensive Land Use Plan

Adopted Ayes 4 Olin, Carroll, Winsor, Wicks, Rhodes
Noyes 0

No further business before the Board.

Motion made by D. Rhodes and seconded by G. Carroll to adjourn the meeting at 9:50 pm

Carried

Respectfully submitted by

Tomi Stewart Town Clerk
Town of Colesville

“Applicants for 2014 CDBG Program, Submission F”

Homer Rowe
2415 Colesville Road
\$7,190.00