

Town of Colesville  
Town Board Meeting  
April 5, 2012

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 Edward Mosher  
Councilperson Margaret Wicks  
Councilperson Glenn Winsor  
Councilperson Michael Olin  
Councilperson Stephen Flagg

Town Clerk Tomi Stewart  
Highway Superintendent Robert Young  
Code Enforcement Brad McAvoy  
Town Attorney Alan Pope

Guests: Tom & Pat Grant, Superintendent of Schools Kathy Wood, Carol FeDora, Mary Ann Oliver, Matt Guokas, Eric Vonderhorst, Gordon & Dottie Brownlow, Jim Yuill , and Chris Maby of Delta Engineers.

Supervisor Mosher called the meeting to order at 7:00 pm, which was followed by the Pledge of Allegiance.

Ms. Kathy Wood, Superintendent of Harpursville School District asked the Town Board to consider changing the parking regulations to eliminate roadside parking along Main Street across from the schools. Ms. Wood said that there is plenty of parking for visitors, students and faculty on campus. Mr. Mosher polled the Board: the Board Members all voiced their support for the change. Mr. Pope said that to change the Local Parking Regulations a Public Hearing would have to be scheduled to consider the proposed amendment.

Resolution # 42.12

Resolved that a **Public Hearing** be held on May 3, 2012 at 7:05 PM on a proposal to consider input on the Town of Colesville's proposed **change in parking** local law **regulations** for the area located at West side of Main Street at its intersection with Cumber Road thence in a northerly direction approximately 400 feet, which said change will eliminate parking at said area. Motion made by M. Wicks and seconded by S. Flagg.

Adopted Ayes 5 Winsor, Olin, Mosher, Flagg, Wicks  
Noyes 0

Mr. Mosher opened the public portion of the Meeting:

Eric Vonderhorst asked for an update on the unsafe structure located on NY State Rte 79 in Centerville; Mr. Pope said that as of February 24, 2012 Broome County acquired the property through foreclosure. Mr. Pope further said that a letter was sent to Broome County's Attorney requesting cooperation from the County, along with a copy of both the Administrative Warrant and the Inspection Report filed by the Town's Enforcement Officer B. McAvoy. In return, a letter from the County was received stating that due to budgetary means they declined demolition/removal of the structure. Mr. Pope said that once the Engineering Report from R. Bassler is received and the report determines that the structure is unsafe he will forward a copy of the report on to Broome County so they will have an understating of their liability.

Mr. Mosher said that it may be helpful for the residents to contact their local representatives to ask for their assistance with the demolition.

Mr. Vonderhorst also mentioned that the cottage located at 2370 State Rte 79 has been demolished; however, the debris still remains. Enforcement Officer B. McAvoy said that he was told by the owner that all debris would be removed; B. McAvoy said that he will stop by to be sure that they comply with our local ordinance.

Matt Guokas asked if a draft agenda and the unofficial minutes could be posted on the town's website so that residents will have an idea of what is before the Town Board. After discussion Mr. Mosher said that the Board will take his comments into consideration.

Mr. Goukas also said that he contacted Highway Superintendent R. Young and expressed his concerns on the conditions and safety of Bettsburgh Road. Mr. Goukas said that the road is heavily traveled and has gotten considerably worst with pot holes and that the road is dangerous when it rains. R. Young said that nothing can be done until after the frost is out of the ground. R. Young then said that there are plans this year to gravel and add a dust oil to the

road, however, the highway budget doesn't justify applying oil & stone at the cost of \$2,000 dollars per one-tenth of a mile.

Gordon Brownlow asked for an update on the clean-up of the Blumberg property located on Dilly Road; B. McAvoy said that he sent correspondence to the Attorney who is Administrating the Estate and also to the son of the deceased to comply with the Town's Ordinance and there has been no reply. Mrs. Brownlow said that there are people going in and out of the house; many times they have the lights on. B. McAvoy said that he will go by and try to find them there. Mr. Mosher said that he appreciates what Mr. Brownlow is saying and noted that there are about one-half dozen properties within the town that are the same way.

Mr. Brownlow spoke to the tenants that were living there in December and that the tenants said that what was in the yard needed to go to the dump; they gave Mr. Brownlow permission to remove the debris. B. McAvoy suggested to Mr. Brownlow not to remove the debris. Mr. Brownlow further said that he is very concerned with this property being an attractive nuisance and a fire hazard. Mr. Brownlow asked if one Member from the Board would go by and view the property. Mr. Pope said that he and Brad will go by and report back to the Board.

Mary Ann Oliver asked how other municipalities handle properties such as these. Mr. Pope said that often it's a person's view of items, therefore hard to enforce.

Pat Grant questioned the status of a recent house fire whereby the house is now condemned. B. McAvoy said that the news media jumped the gun; the house has not been condemned. However, the house does need a significant amount of work before it's livable. B. McAvoy further said that he has been trying to contact the absentee owner and has not received any response.

Mary Ann Oliver asked for an update on the farm animals in the residential district in Centervillage. B. McAvoy said that the owner reported that the animals have been taken to auction. Ms. Oliver said that she was there last week and there were chickens running around. B. McAvoy said that he will follow-up.

It was the consensus of the Board that resolutions 43.12 through 48.12 will be voted upon under one motion.

Resolution # 43.12

Resolved, that Donald Niles be engaged as an independent contractor to **maintain grass** at **Cole, Harpur and Valonia Springs** cemeteries during the summer of 2012. Reimbursement shall be \$1000.00.

Resolution # 44.12

Resolved, that Donald Niles be engaged as an independent contractor(s) to **maintain grass** at **Harmony Park** during the summer of 2012. Reimbursement shall be \$840.00 for 15 mowings, with any additional mowings at \$63.00 per mowing.

Resolution # 45.12

Resolved, that Donald Niles be engaged as an independent contractor to **maintain grass** at **Clyde Woodward Park** during the summer of 2012. Reimbursement shall be \$840.00 for 15 mowings, with any additional mowings at \$63.00 per mowing.

Resolution # 46.12

Resolved, that Donald Niles be engaged as an independent contractor(s) to maintain grass at **Gazebo Park** during the summer of 2012. Reimbursement shall be \$630.00 for 15 mowings, with any additional mowings at \$63.00 per mowing.

Resolution # 47.12

Resolved, that Donald Niles be engaged as an independent contractor to maintain **grass** around the **Town Garage** during the summer of 2012. Reimbursement shall be \$315.00 for 15 mowings with any additional mowings at \$26.00 per mowing.

Resolution # 48.12

Resolved, that Donald Niles be engaged as an independent contractor(s) to do necessary **weeding** of flower beds and **trimming** weeds at the **Gazebo Park, Town Hall and School House** during the 2012 season. Reimbursement shall be \$375.00 total.

Motion made by M. Wicks and seconded by G. Winsor.

Adopted Ayes 5 Winsor, Olin, Mosher, Flagg, Wicks  
Noyes 0

Resolution # 49.12

Resolved, that Jenny Smith be appointed to the Town of **Colesville Youth Commission** with term to run from January 1, 2012 to December 31, 2017. Motion made by M. Olin and seconded by G. Winsor.

Adopted Ayes 5 Winsor, Olin, Mosher, Flagg, Wicks  
Noyes 0

Resolution # 50.12

Resolved that the Supervisor is authorized to sign the "**Memorandum of Understanding**" with Cornell Cooperative Extension of Broome County for the Kids Stuff Program 2012 is herein approved. Motion made by M. Olin and seconded by S. Flagg.

Adopted Ayes 5 Winsor, Olin, Mosher, Flagg, Wicks  
Noyes 0

Highway Superintendent mentioned that the dates for the clean-up have been changed due to the Memorial Day Holiday.

Resolution # 51.12

Resolved, that the Town Board does herein authorize the **Highway Superintendent** to conduct a **Cleanup Collection Day** to be held on Friday May 18, 2012 and Saturday May 19, 2012, at the Colesville Town Garage. Materials to be accepted shall include bulk items, white goods, scrap metal, tires, sofas, chairs, carpets, windows, wastes from illegal dump site cleanups and similar items. Motion made by G. Winsor and seconded by M. Olin.

Adopted Ayes 5 Winsor, Olin, Mosher, Flagg, Wicks  
Noyes 0

Reports submitted to the Board Members in their monthly folder included the Supervisor's, the Town Clerk/Tax Collector's and the Enforcement Officer's. The monthly folder also included Resolutions, correspondence, contracts and Cornell Cooperative Extension's Memorandum of Understanding (Kids Stuff Program).

**Committee Reports:**

Highway – R. Young said the Hwy Crew has been busy sweeping roads, clearing ditches, cutting brush, and installing pipes. He further said that they leveled off the parking area in the back of the Sanitaria Springs Fire Company near I 88.

Enforcement – B. McAvoy reported on the number of building permits; orders of remedy and appearance ticket issued in March. Nothing scheduled for Planning Board. Two Use Variance applications have been scheduled to go before the Zoning Board of Appeals in May.

Youth – M. Olin reported that the Youth Committee met and further discussed the softball and field hockey programs. Also the Committee talked about having an employment background check on applicants applying for coaching positions. The Committee is also considering having each Coach be CPR Certified and have First Aid Training.

ZBA – no meeting

Planning Board – no meeting

Historical – S. Flagg said that many from the Windsor Historical Group were in attendance and Historian Eileen Ruggieri talked about a kiosk that has been installed at the Ouaquaga Bridge, between the Town of Windsor and the Town of Colesville displaying the early settlement of the two Towns. Also, Historian Charlie Decker gave a very interesting narration of the Hobs' Brothers Carriage Factory that was located in Nineveh between 1845 and 1920.

Parks- M. Wicks said that a disc golf frisbee game will soon be installed at Clyde S. Woodard Park. She further mentioned that she will be painting the entrance sign to the park.

Resolution # 52.12

Resolved that the Town Board has **audited and approved payment** of General Fund bills # 90 through # 120 totaling \$28,085.25, Highway Fund bills # 56 through # 86 totaling \$33,703.01 and CD Housing Grant #264 HR151-11 bills # 1 totaling \$11,023.68. Motion made by M. Olin and seconded by M. Wicks.

Adopted Ayes           5 Winsor, Olin, Mosher, Flagg, Wicks  
                  Noyes            0

**General Discussion:**

Mr. Mosher said that the repair costs of Hartz Road will be approximately three to five hundred thousand dollars and FEMA has refused to fund the project. He then introduced Chris Maby of Delta Engineers. Mr. Maby continued to say that during a site visit, 3 local FEMA Reps are in support of funding this project, however a Geo Tech Expert, who also was along on the visit said that the failed slope is not a result of the storm and he recommends shifting the road. In the meantime a portion of the road has collapsed. An appeal has been filed and hopefully there will be another site visit before the next Town Board meeting.

Mr. Maby said that once a project worksheet is approved by FEMA it is then sent to the State for approval; once approved the Town will receive a "Blue Book" which is the final go ahead for the project. To date the Town has received a "Blue Book" for the Upper Hartz Road project, the Lower Penny Hollow Road project and the "Blue Book" for the Thorn Hill Road project should soon be received by the Town. Plans for these three construction projects are underway.

M. Wicks asked if a school bus travels on Hartz Road; Mr. Mosher said that next semester it will be. Mr. Mosher also noted that he has sent a letter and photos to our State and Local Representatives' asking for their assistance.

M. Wicks asked about the agreement with EGroup, LLC for filing an appeal challenging the denial of federal funds for Hartz Road project. M. Mosher said it's not going to work out.

G. Winsor asked where we stand with the Trade Winds Lake issue; Mr. Maby said that a letter was sent by DEC to the owner of the dam stating their concerns. Watson Engineers has come up with a preliminary idea to remedy the situation. DEC will have the final approval of the proposed plan.

G. Winsor asked about the other projects; Mr. Maby said that we are now working on the Thorn Hill Road project, the upper and lower portion of Penny Hollow Road and the upper and lower portions of Hartz Road. He concluded by saying that the Hurd Road project is not eligible for funding and that perhaps the Town would want to seek funding elsewhere to upsize the culvert pipe.

M. Wicks asked about the cable franchise agreement; Mr. Pope said that it is being reviewed.

Motion made by M. Wicks and seconded by M. Olin to approve of Minutes of Town Board meeting held on March 1, 2012.

Adopted Ayes           5 Winsor, Olin, Mosher, Flagg, Wicks  
                  Noyes            0

No further business before the Board.

Motion made by M. Olin and seconded by S. Flagg to adjourn the meeting at 8:10 pm.

Respectfully submitted

Tomi Stewart Town Clerk  
Town of Colesville