

September 16, 2014

Supervisor Wilcox called the Public Hearing regarding proposed Local Law #1 of 2014, a Local Law to Override the Tax Levy Limit Established in General Municipal Law Section 3-C to order at 6:36 pm. Councilwoman Herrick, Councilwoman Holcomb, and Councilman Miller were present. Councilman Brown was absent. Twenty-four townspeople were also in attendance. Supervisor Wilcox asked for any questions and/or statements for or against proposed Local Law #1 of 2014. After much discussion and after asking for any further comments, Supervisor Wilcox closed the Public Hearing at 7:28 pm.

Tina Thurston
Town Clerk

September 16, 2014

The regular Town of Richford Board Meeting was called to order at 7:28 p.m. by Supervisor Wilcox. Councilwoman Herrick, Councilwoman Holcomb, and Councilman Miller were present. Councilman Brown was absent. Twenty-four townspeople were also in attendance.

The minutes of the August 12, 2014 regular monthly Town Board Meeting were presented. It was asked on the second page, sixth paragraph, third line to change the word purse to pursue. Councilwoman Herrick, seconded by Councilwoman Holcomb, made the motion to accept the August 12, 2014 town board meeting minutes as amended. All approved. The August 12, 2014 minutes were accepted as amended.

The Town Clerk's and Supervisor's reports for August 2014 were presented.

The Highway Superintendent gave a report for August 2012. Grading for this year is mostly complete. Two trucks will be ready for sale next week. Tioga County has a 2000 truck for sale that comes with plow and wing and has 108,000 miles. Tioga County has dropped the price \$5000 since last year to \$15,000 and Superintendent Holt would like to purchase the truck. Outlets in Town Hall not working, Superintendent Holt will find time to locate and repair the problem. The state reviewed the speed limit signs on both end of town and discussed moving the 35 and 55 mph signs out of town another 1000 feet; slowing people down earlier and getting them farther out of town before they pick up speed. The electronic signs discussed at the last meeting cost around \$3100-\$3200 apiece. They are solar powered with battery backup. Superintendent Holt also spoke to the state regarding the ditch/sewer impeding a driveway on route 38. The state police have patrolled Anderson Hill and the dumping of cat litter has stopped. Dirt from ditch cleaning goes to closest townspeople to the work site and is graded down if requested.

The highway department is making patching material to work on Mill Street and others that need repair. Mill Street sluice pipe needs replacing but it runs through someone's yard. Pipe on Liddington Road was changed from three to five foot pipe so will hopefully stop the flooding. Superintendent Holt will work with Councilwoman Holcomb on the town road project spreadsheet.

Councilwoman Herrick refers to the email from Supervisor Wilcox regarding the need to replace the garbage truck. Superintendent Holt notes that the current truck has hydraulic brakes which are a constant issue; one with air brakes would require less maintenance. Councilwoman Holcomb notes there is no garbage truck in the budget. Supervisor Wilcox notes the reserve fund is there for such matters.

Councilwoman Herrick asks Superintendent Holt to bring a spreadsheet to the board showing the repair expenses for each highway department truck. Councilman Miller would like it to show hours of labor spent on each truck.

There is no Code Enforcement report for August 2014. A Justice Court report for August 2014 was presented and the check amount from the Justice Court for August 2014 was \$3,010.00. The Dog Control Officer report for August 2014; 250 West Hill Road there was a Husky running a large with no ID, residents wished to adopt the dog after the five day hold.

A Town Planning Board report was given. The next and final newsletter for 2014 will go out near the first week of October and will include submissions from candidates for the two local races, town clerk and town justice. The Planning Board will have the executive report on the survey to the board before the October town board meeting.

Councilwoman Holcomb, seconded by Councilwoman Herrick, made a motion to transfer \$10,000 from machinery equipment reserve fund and \$5000 from DA5130.4 to DA5130.2. All approved; motion approved. Councilwoman Holcomb, seconded by Councilwoman Herrick, made a motion to authorize the highway superintendent to purchase a 2000 tandem axle dump truck with plow and wing from the Tioga County Department of Public Works for \$15,000. All Approved, motion approved. Councilwoman Holcomb requests a copy from Supervisor Wilcox of the emergency squad call record attached to voucher A186. Councilman Miller, seconded by Councilwoman Herrick, made a motion to pay the vouchers on Abstract #9 and that the vouchers on the Abstract are the same ones signed by the Board. The General Abstract includes vouchers A168 through A188, amounting to \$16,026.84. The Highway Abstract includes vouchers DA141 through DA162, amounting to \$33,127.45. All approved. Vouchers will be paid.

OLD BUSINESS:

Councilwoman Holcomb informs the board that she got a copy of the deed of the Joyce Hyde property and no other name appears on the deed except Joyce Hyde. Restates her concern that only putting a lien on the property will not get the town's money back if the property goes up for tax sale. The town has served no papers on Joyce Hyde through attorney or law enforcement. Councilwoman Holcomb would like to see Joyce Hyde served, by process server, with a letter saying she will be fined according to our local law unless she takes care of the property or turns the property over to the town. Townsperson, who is a paralegal, notes the town can take a personal judgment against Joyce Hyde and serve her. Councilwoman Holcomb will contact the code enforcement officer for help with crafting the letter which she will email to board members for their approval so it can move forward. Councilwoman Herrick, seconded by Councilman Miller, made a motion that the code enforcement officer include in the letter to Joyce Hyde that the town board will accept the property in exchange for fines. All approved. Motion approved. Councilman Miller, seconded by Councilwoman Holcomb, made the motion to hire a process server to serve the letter on Joyce Hyde. All approved. Motion approved.

Councilman Miller asks where the town stands with the Holcomb assessment. Supervisor Wilcox states that the Holcomb attorney took the town to court to answer a summary judgment, their attorney requested that interest be charged along with associated costs for the case and the motion was denied by the judge. Councilman Miller asks if anything has been signed. Supervisor Wilcox notes that the stipulation approved by the town board has not been signed. Councilwoman Holcomb has not seen the stipulation and notes that the judge actually said the motion was filed in the wrong court.

Councilwoman Herrick inquired about the Girl Scouts progress on the town hall clean up and their badge. Charlie Davis said the girls worked in the pouring rain to scrub the outside of building and did a pretty good job. Next step is the inside of the building. Supervisor Wilcox asks Charlie to extend to the girl scouts the boards' thanks for a job well done.

Councilwoman Herrick asks Fire Chief John Keener about the Valley View pond issue. John said a pipe rotted out and started eating into the dyke. The evacuation notice was sent out prematurely, it should not have gone out at all. The pond is now drained and is not a hazard.

NEW BUSINESS:

Councilman Miller, seconded by Councilwoman Herrick, made the motion to authorize Superintendent Holt to sell the 1989 and 1995 dump trucks at the Broome County auction on September 27. All approved; motion adopted. Once the trucks are sold the town will have six trucks left, one is used as a brine truck.

Discussion on proposed Local Law #1 of 2014, a Local Law to Override the Tax Levy Limit Established in General Municipal Law 3-C. The town board members had a copy of the law seven days prior to the September 16 meeting as required by law. Discussion ensued between board member and townspeople. The board moved to take action on the law.

Supervisor Wilcox proposed the following resolution: BE IT RESOLVED that local law #1 of 2014 to override the tax levy limit established in General Municipal Law 3-C be adopted. Councilman Miller, seconded by Councilwoman Herrick, made the resolution to adopt Local Law #1 of 2014 to override the tax levy limit established in General Municipal Law 3-C. All members present voted aye. The local law was unanimously adopted. The town clerk will file the law with the Department of State.

Supervisor Wilcox shared with the board a copy of an anonymous letter regarding dirt being dumped on personal property. The Town Superintendent acknowledged that they dump dirt from ditch cleanings etc. but usually with the permission of the property owner.

Richford post office closed in October 2013 and box holders and townspeople have been forced to use the Berkshire Post Office. One week ago Supervisor Wilcox was contacted by Martin Kilmer, Post Master for Newark Valley, Berkshire, and Richford. A post office will be reopened in Richford in the next eight to twelve months. Until then they will put in a trailer where people can pick up their mail. The USPS is looking for potential locations. Discussion followed on postal service requirements and code enforcement requirements and possible locations.

Supervisor Wilcox noted that he will begin work on the 2015 town budget.

PRIVILEGE OF THE FLOOR:

Pat Jordan asked board if the town acquires the Joyce Hyde property if the highway department can do the demolition to save the town money. Pat believes it is entirely possible if working with the code enforcement officer.

Erica Hanson addressed the board about holding dance classes in the town hall. She has held dance classes in the town hall in the past and has a successful studio in Berkshire. She is proposing one class per week on Friday afternoon and charging \$20 per month per child. She will give the town \$10 per month per child for use of the building.

Councilwoman Herrick, seconded by Councilwoman Holcomb, made the motion to allow Erica Hanson to hold a dance class one day per week in the Richford town hall building for a compensation of \$10 per month per child attending class. All approved. Motion passed.

Councilman Miller, seconded by Councilwoman Herrick, made a motion to adjourn. Motion approved. The meeting was adjourned at 9:23 p.m.

Tina Thurston
Town Clerk