

UNOFFICIAL

TOWN OF HUME
MAY 8, 2013

A regular meeting of the Hume Town Board, Allegany County, New York was held on May 8, 2013 at the Town of Hume Museum, 10842 Claybed Road, Hume, New York.

Supervisor Dennis Ricketts called the meeting to order at 7:00 PM, and he led the Pledge of Allegiance to the Flag.

Officials in attendance: Supervisor Dennis Ricketts; Councilmen Daniel Miller, Gregory McKurth, and Bruce Hinz; Highway Superintendent Kevin Peet; Water and Sewer Superintendent Dana Potter; Attorney David Pullen; Town Clerk Sondra MacEwan. Councilmen Christopher Austin was absent.

MINUTES

Councilman Miller moved that the Minutes of the April 10, 2013 meeting of the Board be accepted as presented. Councilman Hinz seconded. 4 ayes, 0 noes.

COMMUNITY FORUM

Merrill Nevinger, on behalf of the American Legion, requested space in the Town Museum for storing the gear of the American Legion Post. He suggested a small room upstairs where the items could be secured. Keys were requested for entry.

Councilman Hinz moved that the Dee Victor Thomas Post of the American Legion be authorized to store their belongings at the Museum. Councilman Miller seconded. 4 ayes, 0 noes.

Bruce Miller, Brian Miller, Michael Dunn, and Norb Saylor were present to continue discussion of an extension of Town water service along Dugway Road.

Supervisor Ricketts obtained preliminary engineering figures for the project, but would request further projections from MRB Group. MRB Group is familiar with the Town system from their work on the Water Improvement Grant project. The Board was in favor of the extension, but expected the process to be time consuming. Supervisor Ricketts proposed a special meeting, date to be later determined, in order to investigate financing and time options.

Gary Gayford asked the Board what solutions their studies had found for improving the problem of manure from Amish horses in public places.

Attorney David Pullen cautioned the Board about restricting or infringing upon religious rights, citing recent cases that have appeared before Federal courts. The Board determined that a meeting with Amish Elders might be more productive than legislation, and asked Mr. Pullen to arrange a meeting. Also, Supervisor Ricketts will talk to the Shop and Save proprietor about erecting a hitching post behind the store.

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Mr. Gayford also asked that the road around the Little League property be resealed. Superintendent Peet pointed out that the Town's agreement with the Little League did not call for that maintenance procedure. Attorney Pullen, reading the contract, agreed with Superintendent Peet.

PUBLIC HEARING – LOCAL LAW #2 OF 2013

At 7:40 PM, Supervisor Ricketts opened the Public Hearing to consider the proposed Local Law #2 of 2013 entitled "Junkyard Regulation Local Law of the Town of Hume, Allegany County, New York."

Gary Gayford questioned the need for a change in local regulations. Attorney David Pullen responded that agricultural exemptions were added and phrasing clarified. Mr. Pullen also expanded on the increased costs of obtaining permits under the proposed law. Rick French spoke against the adoption of the law, feeling that more regulations were unnecessary and that this law would not affect the majority of residents.

At 8:20 PM, Councilman Hinz moved to close the Public Hearing, and Councilman McKurth seconded. 4 ayes, 0 noes.

Councilman Miller moved that Local Law #2 of 2013 be adopted. Councilman McKurth seconded. 4 ayes, 0 noes.

FIRE PROTECTION DISTRICT CONTRACTS

Drafts of the corrected Fire and Rescue Service contracts were studied by the Board. Rick French was present to have some points clarified for Brooks Hose Company concerning membership lists and the filing of Bylaws with the Town. Attorney Pullen advised him to contact County Fire Coordinator Jeff Luckey for reference to the State statutes that apply to Fire Protection Districts. The filing of membership lists and bylaws, Attorney Pullen said, was a requirement for Workman's Compensation coverage that the Town pays for through tax levies.

Following discussion, Councilman Miller moved that the contracts be ratified and signed by the Town Supervisor. Councilman Hinz seconded the motion. 4 ayes, 0 noes.

SUPERVISOR'S AGENDA

Marty Howden used the Town web pages to submit two concerns to the Town.

He asked that the Town consider adoption of a Noise Ordinance. The Board discussed the need and also the difficulty in drafting a non-discriminatory ordinance. The Board agreed that Supervisor Ricketts should speak to the State Troopers about more strenuous response to noise complaints, siting disorderly conduct statutes that could cover the issue.

Mr. Howden also lodged a property maintenance complaint. A letter will be sent to the property owner, and steps taken through the Code Enforcement office to remedy the violations.

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Councilman Gregory McKurth introduced and moved adoption of a resolution (5-A-13) reappointing Russell Heslin to a 6 year term as Assessor for the Town of Hume. Councilman Miller seconded. 4 ayes, 0 noes.

MUSEUM

The deadline for submitting articles for the next issue of the Bee is June 1st.

GRANTS – STATUS UPDATES

Councilman Miller asked for input on the final section of fencing at the Park. The dugouts have been installed, and the final section (materials, style) of fence now remains to be completed. He is working on preparing an amended budget for the State.

The permit from the Army Corp of Engineers has been received. The Engineer, contractor and Town met to begin planning the construction. Some costs and the labor distribution need to be recalculated. It was agreed that the Town of Hume would also ask other local municipalities if they would be interested in removing and hauling the gravel.

LEGAL TOPICS

Councilman McKurth moved that the Town adopt the Water and Sewer Account Deactivation Form, and Councilman Hinz seconded. 4 ayes, 0 noes.

Supervisor Ricketts introduced proposed Local Law #3 of 2013, a law to amend Park Use Local Law #1 of 2003. (Res 5-B-13), and called for a Public Hearing on June 12, 2013 at 7:30 PM. Councilman Hinz seconded. 4 ayes, 0 noes.

HIGHWAY DEPARTMENT

Superintendent Peet explained his desire to replace the 4200 International low profile truck and the F350 pickup with a one piece of equipment, a F550. He hoped in this manner to cut costs and to continue to do the necessary work.

WATER AND SEWER DEPARTMENT

A different method of washing the streets worked well this year, and will be done in conjunction with the Fire Department in the same way again.

Leonard Burrows, in a written request, asked that the water service to his property on Emerald Street be de-activated. Councilman Miller moved, and Councilman Hinz made the second, to approve the de-activation if Mr. Burrows submitted the newly adopted legal form. 4 ayes, 0 noes.

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PERSONNEL

Councilman McKurth moved that Gordon Johnson be appointed as a part time temporary laborer. Councilman Miller seconded. 4 ayes, 0 noes.

Councilman Miller moved that Mr. Johnson be paid mileage for his use of his personal vehicle. Councilman Hinz seconded. 4 ayes, 0 noes.

Karen Cwiklinski, Court Clerk, announced her retirement from her teaching position with Keshequa School. In order for her retirement hours and credits from the Town of Hume to be transferred to her retirement account, Mrs. Cwiklinski requires a hiatus from the Town of Hume payroll.

Councilman McKurth moved that Karen Cwiklinski be removed from the payroll commencing May 31, 2013. Councilman Hinz seconded. 4 ayes, 0 noes.

Councilman Miller moved that Karen Cwiklinski be appointed as Court Clerk commencing June 3, 2013. Councilman Hinz seconded. 4 ayes, 0 noes.

Margaret Mills wrote the Board, requesting a pay increase for Summer Recreation Aide Casandra Mills. Councilman Miller moved not to increase the rate for Recreation Aide, and Councilman McKurth seconded. 4 ayes, 0 noes.

EXECUTIVE SESSION

Councilman Miller moved that the Board enter Executive Session to consult with the Town Attorney on continuing negotiations. Councilman Hinz seconded. 4 ayes, 0 noes.

The Board entered Executive Session at 10:00 PM and returned to Open Meeting at 10:05 PM.

EMPLOYEE HANDBOOK

Councilman Miller moved that the section of the Town Employee Handbook that allowed for the use of small tools after hours by Town employees be expunged from the handbook. Councilman McKurth seconded. 4 ayes, 0 noes.

TOWN CLERK'S TOPICS

Clerk Sondra MacEwan gave out the results of requests for proposals for carpeting and painting the Town Office. Several contractors declined to bid, and two contractors bid only on one phase of the project.

Supervisor Ricketts moved that the proposal from cp Construction (Charles Phillips) be accepted at a cost of \$3800.00. Councilman Miller seconded. 4 ayes, 0 noes.

BILLS AND REPORTS

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Councilman McKurth moved that the reports of the Supervisor and Town Clerk be accepted as presented, and that the bills be accepted for payment. Councilman Miller seconded. 4 ayes, 0 noes.

(General #136-166 \$6502.80; Highway #75-92 \$21706.23; Trails #1 \$5000.00; Fire Protection #10 \$441.41; Lighting #5 \$1485.93; Sewer #56-65 \$3893.51; Water #79-95 \$1542.27).

Councilman Hinz moved that the meeting be adjourned and Councilman McKurth seconded. 4 ayes, 0 noes. Meeting adjourned at 10:15 PM.

The next regular meeting of the Hume Town Board will be June 12, 2013 at 7:00 PM at the Town Museum.

Respectfully submitted,

Sondra MacEwan,
Town Clerk