

STATE OF NEW YORK  
COUNTY OF SENECA  
TOWN OF COVERT

July 13, 2009

The regular meeting of the Town Board of the Town of Covert was held Monday, July 13, 2009 at 7:30 PM at the Town of Covert Municipal Building, 8469 South Main Street, Interlaken, New York.

Members present: Supervisor Michael Reynolds, Councilmen Gary Hunt, Stephen Selover, Duane Waid and Valerie Bassett. Also present Highway Superintendent Jeffery Mac Cheyne, Town Attorney John Sipos, Town Clerk Colleen Freese, Code Enforcement Officer John Poludniak, Donald Kenyon, Charles Bosman, Angela Champion, Justice Louis A. Van Cleef, Jeff Vann, Lee Davidson, Daniel and Georgeanne Bakker, Thomas Wellin, James Wyckoff, Raymond Langlois, reporter Aneta Glover and Glenn Boyes.

The Supervisor opened the meeting with the pledge of Allegiance.

The Board took a moment of silence for Elizabeth Raymond who passed away. She had served as Town Justice for 21 years.

Supervisor Reynolds opened the public hearing. The purpose of the public hearing was to hear comments on the "Right to Farm" law. The intent of this law is to maintain and preserve the rural traditions and character of the Town.

No comments were made in favor or against the proposed "Right to Farm."

Supervisor Reynolds closed the public hearing and opened the regular meeting.

Bassett moved, seconded by Waid, that the minutes of the June 8, 2009 meeting be approved as delivered. Motion carried unanimously

Ray Langlois requested that the Town Board and Highway Department give their support to build a detention pond on Tunison Road. The highway department would show its support by the use of equipment and manpower. Highway Superintendent Mac Cheyne agreed that it was a good project.

Lodi Town Supervisor Lee Davidson stated that he believed it is time to consider looking into shared services for Town Justices and maybe even other town positions. Supervisor Reynolds stated he has been looking into it and getting information and it is something that can be pursued with further study.

Charles Bosman informed the Board that Conifer Developers have been approved to build the Senior Citizens Housing Units.

Councilwoman Valerie Bassett suggested that a letter of request be sent to any organization interested in 2010 budget funding. This request would require seeing the organization's budget i.e. revenues and expenses.

Selover moved, seconded by Waid, to have a letter of support sent to the Village of Interlaken for a detention pond to be built on Tunison Road. The Board and the Town Highway Department will support the Village with the help of equipment and manpower. Motion carried unanimously.

Hunt moved, Seconded by Bassett, that Local Law Number 1 -2009 "Right to Farm" be approved. Motion carried unanimously. (See Attachment)

Bassett moved, seconded by Hunt, for the Town of Lodi and Town of Covert and possibly other municipalities' form a committee to research shared services to determine cost- effectiveness and benefit to each town. Motion carried unanimously.

Hunt moved, seconded by Selover, to purchase a water heater for the municipal building at the cost of \$525.00. Motion carried unanimously.

Selover moved, seconded by Waid, that Highway Fund Vouchers 88-100 in the amount of \$19,613.19 and General Fund Vouchers 101-124 in the amount of \$19,153.22 be approved for payment. Motion carried unanimously.

Supervisor Michael Reynolds filed his revenue and expenditure report with the Board.

Highway Superintendent Jeffery MacCheyne filed his June report with the Board.

Town Clerk Colleen Freese filed her June report with the supervisor. A total of \$317.28 was remitted.

On the motion of Hunt, the meeting was adjourned at 9:45 PM.

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Michael G. Reynolds, Supervisor

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Colleen R. Freese, Town Clerk

**TOWN OF COVERT**  
**REGULAR TOWN BOARD MEETING**  
**August 10, 2009**

**Call to Order:** The regular Town Board Meeting was called to order by Supervisor Michael Reynolds at 7:30PM.

<b>Roll Call:</b> Supervisor Michael Reynolds	Present
Councilman Gary Hunt	Present
Councilman Stephen Selover	Present
Councilwoman Valerie Bassett	Present
Councilman Duane Waid	Present

<b>Others Present:</b> Town Clerk, Colleen Freese	Present
Highway Superintendent, Jeffery Mac Cheyne	Present
Code Enforcement Officer, John Poludniak	Present
Justice, Louis A. Van Cleef	Present
Reporter, Aneta Glover	Present

**Residents Present:** Diane Bassette Nelson and Jeff Vann

**Pledge of Allegiance:** followed by moment of silence

**Approval of Minutes**

- a. July 10, 2009 Regular Town Board Meeting
- Motioned: Councilman Duane Waid  
Seconded: Councilman Gary Hunt  
Carried Unanimously

**Petitioners to the Board:**

Diane Bassette Nelson appeared before the board to present her proposal for the Town Of Covert. The initial cost for a website would include: Website Domain name (ULR) \$15.00 this is a once a year cost  
Website Hosting: \$25.00 per month or \$250 for the year  
Initial set-up fee: \$ 120.00 this creates the first pages to establish the website, and emails  
Website Host: Finger Lakes Electronics, Mark Williams's manager.  
The website could have Town Board meeting minutes and Agendas, Public hearings, Building Permits. This website will provide different sources of information available to the community at there fingertips.

**Code Enforcement Officer:**

- a. permits issued
  - 1#19-09 State Rt. 89-addition.
  - 2 # 20-09 Rt. 96 Covert Road- Swimming Pool
  - 3. # 21-09 Bassett Road- Barn

**Old Business:**

A lengthy discussion was held about the Interlaken Library contract. Supervisor Michael Reynolds will talk to the president and invite him/her to come and talk to the Town Board about the Library budget.

Selover moved, seconded by Waid, to have Alarmtech Systems install the Access Control System at the cost of \$4118.00. This system includes 600 lb magnetic door lock, back up power supply. Interior programmable pad with built-in "push To Exit" button, Exterior proximity reader. Intercom System –Includes Exterior Speakers with call button, 2 interior stations (1 in each office-Max.2 interior stations with this control-system will activate door releases. Camera System-4- channel Digital Video Recorder (DVR) with 160 gig hard drive, DVD burner and network connection. High resolution-Color Bullet or Dome Camera- 1 mounting facing entry door and 1 mounted inside court room/meeting room. Motion carried unanimously.

**New Business:**

Selover moved, seconded by Bassette, to declare two safes, a wooden table and old metal cabinet as surplus and to be posted for the community to make bids on these items. Motion carried unanimously.

Bassett moved, seconded by Waid, for Diane Bassette Nelson to design a website for the Town of Covert. The initial cost for a website would be \$550.00 which will include: Domain name (ULR) \$15.00 this is a yearly cost Website Hosting: \$25.00 per month or \$250 for the year. Initial set-up fee: \$120.00 this creates the first pages to establish the website, and emails. These cost are payable to Mark Williams/Finger Lakes Electronic (\$385.00) Diane Bassette Nelson fee would be \$25.00 per page for the first five pages, and \$15.00 per page after that and a quarterly maintenance fee of \$50.00. Motion carried unanimously.

**RESOLUTION AUTHORIZING APPLICATION FOR 2009 JUSTICE COURT ASSISTANCE PROGRAM GRANT**

**RESOLUTION NO. 02-09**

Hunt moved, THAT WHEREAS, the Covert Town Court is in need of items beyond the means of the 2009 budget, and

WHEREAS, the purchase of such items would put a financial strain on the taxpayers of the Town of Covert, and

WHEREAS, The Covert Town Court has the opportunity to apply for the 2009 Justice Court Assistance Program Grant to obtain such items,

NOW THEREFORE, BE IT RESOLVED THAT the Covert Town Board hereby authorizes the Covert Town Court Justice to apply for the 2009 Justice Court Assistance Program Grant requesting up to the maximum amount available to obtain needed items. The resolution was duly seconded by Councilman Waid and was adopted by Ayes-5-Bassett, Selover, Waid, Hunt and Reynolds.

**TOWN OF COVERT APPLIES TO THE NEW YORK STATE HIGH PRIORITY PLANNING GRANT PROGRAM FOR TOWN COURT CONSOLIDATION STUDY**

**RESOLUTION NO.0 3-09**

Councilwoman Valerie Bassett moved, seconded by Councilman Gary Hunt,

WHEREAS, the New York State Department of State, Division of Local Government Services has established a competitive statewide program due on July 1st, 2009 to fund the implementation of shared service initiatives; and

WHEREAS, the Town of Covert and the Town of Lodi have started the process of the consolidating Town Court functions and have agreed to perform a study to explore the costs and benefits, and the process for Town Court Consolidation; and

WHEREAS, the Town of Covert would act as Lead Applicant with the Town of Lodi as co-applicant, and

WHEREAS, the cost of the studying the Town Court consolidation is \$36,000; and

WHEREAS, this grant, if awarded, would provide funds up to a maximum of \$32,400 toward eligible legal and consultant costs of the study, with a local cash and in kind match of \$3,600 being provided by the Town of Covert; and

WHEREAS, if awarded, both Towns will enter into an inter-municipal agreement to conduct the study, with each municipality's responsibilities listed in detail; now, therefore, be it

RESOLVED, that the Covert Town Board unanimously agrees to authorizes and direct the Town Supervisor to submit the High Priority Planning Grant application to the New York State Division of Local Government Services 2010 Local Government Efficiency Grant Program.

Selover made motion, seconded by Hunt, to approve the Town Clerk and Dog control Officer to work together to notify dog owner if they are delinquent in licensing their dogs. A letter of reminder with a 30 day notice will be sent out. If there is no reply within 30 day period then a legal form stating the violation of unlicensed dog will be delivered by the dog control officer Chris Austin. Motion carried unanimously.

Selover moved, seconded by Waid, that Highway Fund Vouchers # 101- 112 in the amount of \$12,941.18 and General Fund Vouchers 124- 143 in the amount of \$21,375.78 be approved for payment. Motion carried unanimously.

There will be a budget workshop meeting on Monday, September 14, 2009 at 6:00 PM.

Supervisor Michael Reynolds filed his revenue and expenditure report with the Board.

Highway Superintendent Jeffery MacCheyne filed his July report with the Board.

Town Clerk Colleen Freese filed her July report with the supervisor. A total of \$345.23 was remitted.

On the motion of Selover, the meeting was adjourned at 9:30 PM.

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Michael G. Reynolds, Supervisor

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Colleen R. Freese, Town Clerk

**TOWN OF COVERT  
REGULAR TOWN BOARD MEETING  
September 14, 2009**

**Call to Order:** The regular Town Board Meeting was called to order by Supervisor Michael Reynolds at 7:30PM.

<b>Roll Call:</b> Supervisor Michael Reynolds	Present
Councilman Gary Hunt	Present
Councilman Stephen Selover	Present
Councilwoman Valerie Bassett	Present
Councilman Duane Waid	Present

<b>Others Present:</b> Town Clerk, Colleen Freese	Present
Highway Superintendent, Jeffery Mac Cheyne	Absent
Code Enforcement Officer, John Poludniak	Present
Town Attorney, John Sipos	Present
Reporter, Aneta Glover	Present

**Residents Present:** Diane Bassette Nelson, Stephanie Houck, Joseph Gober, Barbara McCall and Andrew Herrala, Charles Bosman, Donald Kenyon, Brayton Foster, Daniel & Georgeanne Bakker, and Jeffery Kostick.

**Pledge of Allegiance:**

**Approval of Minutes**

- a. August 10, 2009 Regular Town Board Meeting
  - Motioned: Councilwomen Valerie Bassett
  - Seconded: Councilman Gary Hunt
  - Carried Unanimously

**Petitioners to the Board:**

Joseph Gober, owner of Americana Vineyards and Winery, at 4367 East Covert Road stated he is the Chairman of Tourism in Seneca County. The tourism has increased 2% this year and sales are down.

Barbara Mc Call, representative from South Seneca Ambulance, presented the 2009 Budget and shared that they were looking for a building and trying to get things reorganized. As of August 31, 2009 they have had 482 emergency calls.

Andrew Herrala, the board of treasurer for the Interlaken Public Library, informed the Board that the annual budget for the library is \$30,000.00 a year. Herrala stated that the Town of Covert's budget for the library is \$ 1,400.00 which is 64 cents per resident and is 4.6 % of their budget.

Jeffery Kostick from Cayuga Lake Creamery is concerned with the number of accidents on Rt. 89 between 141A and Hickok Road. Mr. Kostick talked to Senator Mike Nozzolio's who suggested that he speak to the Town Board to get their support in this matter with a resolution. Mr. Nozzolio will look into this matter and see what can be done.

Diane Bassette asked for any feedback on the Town of Covert's Website. The Board members are pleased with the site. She requested pictures of interest to use on the website.

Chuck Bosman was concerned with the building permits need for the Senior Housing project and asked Supervisor Reynolds to look into the matter to see what might be holding up the permits. He's concerned about any delays preventing the ground breaking ceremony which is to take place sometime in October.

**Code Enforcement Office: John Poludniak**

**a. Permits issued**

1. 09-22 3875 W- Seneca Rd- Storage Shed
2. 09-23 RT. 96- Dryer Shed
3. 09-24 8627 Green Lane Shores Storage shed , Variance pending
4. 09-25 County Rd 143- Storage shed

John reported that Robert and Elizabeth Thomas requested a variance to build a shed on Green Lane Shores

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**Town Attorney:**

John Sipos reported in responds to the letter from New York Municipal Insurance Reciprocal that the Highway Department does not have the Board's authority to work on the New York State right-a-ways. There will be a public hearing October 12, 2009.

**Committees:**

Councilwoman Valerie Bassett and Councilman Duane Waid met with Code Enforcement Officer John Poludniak to discuss the terms for the Code Enforcement Office description Duane drafted. John agreed with the description and the terms of the compensation.

**Old Business:**

Bassett moved, seconded by Waid, to approve the Code Enforcement position description. Personal services shall be set at \$650.00 per year, paid quarterly, or as otherwise determined by the Town board in its annual budget. Contractual expense shall be set at \$600.00 per year and shall include mileage reimbursement for calls made pertaining directly to building permits, proposed projects, and any follow-up. This item shall also include specific telephone charges related to the position's duties. Mileage reimbursement for attendance at town board and planning meeting is not eligible. Motion carried unanimously.

Hunt moved, seconded by Waid, to approve the signing of the Hinman Memorial Library Contract for 2009 in the amount of \$1400.00. Motion Carried Hunt-Aye, Waid-Aye, Selover- Aye, Bassett-Nay

Bassett moved, seconded by Hunt, for the Town Court Clerk and Town Clerk to each have a petty-cash fund of \$75.00. Motion carried unanimously.

Hunt made motion, seconded by Waid, that a public hearing to consider a local law providing for written notification of defects and obstruction on highways, bridges, streets, sidewalks, crosswalks, and culverts in the Town of Covert, shall be held on October 12, 2009 at 7:30 at the Municipal building, and the Town Clerk is directed to post and publish notification thereof. Motion carried unanimously.

Bassett moved, seconded by Selover, to refer the variance request for Robert and Elizabeth Thomas Application #24, to the planning board. A public hearing will be held at the Municipal building, October12, 2009 at 7:35. Motion carried unanimously.

Waid moved, seconded by Hunt that the Town Board of the Town of Covert agreed with Jeffery Kostick with his request for lowering the speed limit on State Route 89 between County Road 141A and Hickok Road due to the increased accidents on this stretch of road. Waid- Aye, Hunt-Aye, Selover-Aye, Bassett-Nay

Hunt moved, seconded by Selover, to approve Justice Louis A. Van Cleef's request to purchase the monitors and wall mounts for the security system up to \$1000.00. The funds will be taken from the Justice Grant account #A1110.42. Motion carried unanimously.

Hunt moved, seconded by Waid, according to section 52 of the Highway Law and section 1220-c of the Vehicle and Traffic Law that the Town of Covert Board did not authorize the Highway Department to work on the States Right-of-way. Motion carried unanimously.

There will be a budget workshop meeting on Monday, October12, 2009 at 6:00 pm before the Town Board meeting.

Supervisor Michael Reynolds filed his revenue and expenditure report with the Board.

Highway Superintendent Jeffery MacCheyne filed his August report with the Board.

Town Clerk Colleen Freese filed her August report with the supervisor. A total of \$224.13 was remitted.

Selover moved, seconded by Waid, that the Highway Fund Vouchers #113-127 in the amount of \$24,977.36 and General Fund Voucher # 144-165 in the amount of \$37,172.71 be approved for payment. Motion Carried

On the motion of Hunt, the meeting was adjourned at 10:10 P.M.



**TOWN OF COVERT**  
**REGULAR TOWN BOARD MEETING**  
**October 12, 2009**

**Call to Order:** Public Hearing and regular Town Board Meeting was called to order by Supervisor Michael Reynolds at 7:30PM.

<b>Roll Call:</b> Supervisor Michael Reynolds	Present
Councilman Gary Hunt	Present
Councilman Stephen Selover	Present
Councilwoman Valerie Bassett	Present
Councilman Duane Waid	Present

<b>Others Present:</b> Town Clerk, Colleen Freese	Present
Highway Superintendent, Jeffery Mac Cheyne	Present
Code Enforcement Officer, John Poludniak	Present
Town Attorney, John Sipos	Present
Reporter, Aneta Glover	

**Residents Present:** Diane Bassette Nelson, Charles Bosman, William Shaw, Charles Mc Cann, Lisa Goodberry, Douglas VanBenschoten, Steve Mount, Donald Kenyon, Brayton Foster, Daniel & Georgeanne Bakker, and Justice Louis Van Cleef, Angela Champion,

**Pledge of Allegiance:**

Supervisor Reynolds opened the public hearings.

The purpose of the first public hearing was for a variance under land management Ordinance for Robert and Elizabeth Thomas 8627 Green Lane Shores to construct a 12'x 20 storage building 13 feet from the north sidelines instead of the 20 feet requirement, application No. 09-24

No one appeared in favor or against said variance.

The Planning Board recommends that the variance request for Robert &Elizabeth Thomas be approved.

Supervisor Reynolds closed the public hearing at 7:35.

Supervisor Reynolds opened the Public hearing at 7:36

The purpose of the second public hearing was regarding the adoption of Local Law No. 2 providing a written notification of defects and obstruction on town, highways, bridges, streets, sidewalks, crosswalks, and culverts in the Town of Covert.

Donald Kenyon commented at Public Hearing for proposed Local Law No.2

The essence of Proposed Local Law No.2 is that it will replace subsection 1 of Section 65-a. of the Town Law of the State of NY.

The part of the Law it will replace has to do with under what condition you can sue for “damages or injuries to person or property” when the Town road system is defective, out of repair, unsafe dangerous or obstructed.” It says you can sue when written notice of said condition is provided to the Town Clerk or Highway Superintendent and appropriate action was not taken in reasonable period of time. It also says you can sue without any written notice so given if “Such defective,

unsafe, dangerous or obstructed condition existed for so long a period that the same should have been discovered or remedied in the exercise of reasonable care diligence.” In other words it says you can sue if there has been basic neglect or non-performance of basic duties. It seems to me that is sensible law. You pay taxes for a basic service and if those basic services are not performed you have the right to sue for damages caused by neglect or non-performance.

Proposed Local Law #2 overrides the law I just explained and waters it down to where it’s almost useless. It leaves in the requirement to provide written notice before bringing suit but takes away your right to sue without written notice even if basic neglect or non-performance of duty has occurred and you suffer damages or injuries to person or property as a result of that basic neglect or no- performance.

I think most persons would see that as basically unfair and unjust; even unethical. I hope the Town Board will see it that way also and vote down implementation of Local Law #2

Thank You for your Consideration  
Donald Kenyon

There was much discussion from Town Attorney John Sipos as to whether we need to pass this Local Law or if one has been passed previously.

Supervisor Reynolds closed the public hearing at 8:15 PM.

Supervisor Reynolds opened the regular meeting at 8:16 PM with the same people in attendance.

### **Approval of Minutes**

- a. September 12, 2009 Regular Town Board Meeting accepted with correction.  
Motioned: Councilman Duane Waid  
Seconded: Councilman Gary Hunt  
Carried Unanimously

### **Petitioners to the Board:**

Charles McCann from Seneca County Office of Emergency Services reported information about the Seneca County Hazard Mitigation Plan. The County passed their plan last year. Mc Cann suggests that each Town need to adopt the Plan to be eligible to apply for hazard grant funding.

Lisa Goodberry, from Conifer discussed the Interlaken Senior Housing, Pilot agreement with the Town Board. A resolution of support the Pilot agreement is needed to finalize their financial funding.

Charles Bosman stated that this project has been in the works for five years. It is a good thing for the community and it will make homes for twenty-eight families. Steve Mount thanked the Board for bringing this project to the community and asked the Board to consider the Conifer Pilot agreement.

Douglas VanBenschoten, Chairman of a new committee to revitalize Main Street in Interlaken, reported the Committee is seeing what grants are available. The group has contacted businesses regarding upgrading signage. Chris Wolff has agreed to make the signs. VanBenschoten reported that the Interlaken Community Action Group will subsidize each business with \$200.00 toward the signs.

William Shaw, who won the Primary election and at this time is running unopposed in the general election for the Justice position, discussed with the Board the budget amount for the Town Justice, Court Clerk and Equipment. Shaw asked if the Court Clerk tentative budget was \$100.00 a week. That left the question of the Justice salary and why it has been cut \$3,000.00. Mr. Shaw stated he is qualified and does not need to go to training and that he is approved in the district of New York and would like the Board to take this into consideration.

**Code Enforcement Officer: John Poludniak:**

- a. No Permits were issued this month; the variance is pending for the Thomas.

**Highway Superintend Jeffery Mac Cheyne:**

- a. cleaning ditches on West Covert Road
- b. cleaning Lower Covert Road after accident, Oil and stone on Six corner road
- c. Installed new culvert pipes on Seneca Road and Arden Road
- d. Started fall mowing on roadsides and back slopes
- e. Hauled crusher run for summer road work and regular rounds of cold patching

**Committees:**

Councilman Hunt said the ceiling in the Justice office needs to be done and request we receive bids to be submitted to the Board for approval.

**Old Business:**

Selover moved, seconded by Waid, to approve the variance request for Robert and Elizabeth Thomas application No.09/24 on the recommendation of the Planning Board. Motion carried unanimously.

**SENECA COUNTY SHARED MAINTENANCE FACILITY FEASIBILITY STUDY  
RESOLUTION No. 04-09**

Bassett moved, seconded by Waid, WHEREAS, the parties are engaged in the Seneca County Shared Maintenance Facility Feasibility Study ( the “Study”) awarded to Seneca County by the New York State Department of State (DOS) under Local Government Efficiency (LGEC) Grant Program: and

WHEREAS, THE County of Seneca, acting as lead agency for the parties, will enter an Agreement with the DOS to complete the Study; and

WHEREAS, the County of Seneca Agreement with the DOS will be responsible for coordinating the collection and submittal by the parties of the ten percent (10%) matching funds requirement of the LGEC grant; and

WHEREAS, the Seneca County Board of Supervisor will publish a Request for Proposals in order to solicit and retain an engineering consultant firm (the “Consultant”, to conduct the study and to prepare a study report, which will be submitted to the Parties; and

WHEREAS, the parties will form a Study Steering Committee (the “Committee), comprised of representatives selected by each Party: and

WHEREAS, as part of its Study, the Committee must gather and analyze data from each of the Parties, including but not limited to information about each participant’s vehicle fleet inventories and operations, staffing and benefits costs, budget, equipment, labor agreements, repair and maintenance cost histories (contact and in house), types of services needed, administrative details, projected five-year growth needs, and other matters; and

WHEREAS, THE Parties are interested in the Study and wish to be informed of the progress of the Study and provide input to its preparation; and

WHEREAS, the parties have been working in cooperation to further the progress of the Study and wish to confirm their cooperation in writing,

NOW, THEREFORE, the Parties mutually agree as follows:

1. The parties agree to provide the Consultant with such data and information as Consultant request ( where available), including data regarding vehicle fleet inventories and operations, staffing and benefits costs, budgets, equipment, labor agreements, repair and maintenance cost histories ( contact and in house), types of services needed, administrative details, projected five-year growth needs, and other matters
2. The Parties agree to make records and data available to the Consultant, upon reasonable advance notice and during regular business hours.
3. The Parties agree to select and appoint a member to represent them on the Committee.
4. The Parties agree to make their staff, department heads, and elected officials available to the Consultant for interviews or for attendance at Committee meeting, provided the Committee and/or Consultant requests such interviews and/or attendance with reasonable advance notice and causes minimal disruption to the Parties' operations.
5. The Committee will keep the Parties informed of the Study's progress and provide updates periodically and any reports issued by the Consultant
6. The County will make payments to the Consultant and will request reimbursement of the LGE grant of the Study costs from the DOS.
7. The Committee will notify the Parties of its regular and special meeting and to provide notice of any public hearings that the Committee convenes.

Councilwoman Bassette made a motion, seconded by Hunt, to table the matter on Local Law # 2 for New York Municipal Insurance Reciprocal for more information on what impact it will have on the Town insurance if this Local Law is not passed. Motion carried unanimously.

**ADOPTING SENECA COUNTY HAZARD MITIGATION PLAN  
RESOLUTION NO.05-09**

Hunt made a motion, seconded by Waid, WEREAS, the Town of Covert, with assistance from the County of Seneca, has gathered information and prepared the Seneca County Hazard Mitigation Plan( the plan) and

WHEREAS, the plan has been prepared in accordance with the Disaster Mitigation Act of 2000: and

WHEREAS, the County of Seneca held a public hearing affording all citizens an opportunity to comment and to provide input in the plan and the actions in the plan; and

WHEREAS, the Town of Covert Town Board has reviewed the Plan and affirms that the Plan will be updated no less than every five years; now, therefore, be it

RESOLVED, that the Town of Covert Town Board adopts the Plan as this jurisdiction's all Hazard Mitigation Plan and resolves to execute the action in the Plan.

Adopted this 12 day of October, 2009

**NEW BUSINESS:**

Hunt made motion, seconded by Bassett, to accept the bid from Charles Freese to repair the hole in the Town Clerks Office, light switch in kitchen and to remove the molded sheet rock 4ft up on the vault and cut two holes in the vault floor to check for water damage for a total of \$401.00. Motion carried unanimously.

Waid moved, seconded by Hunt, for Town Clerk to write a letter of support to Doug Van Benschoten chairman to the committee for revitalization of Main Street, Interlaken. Motion carried unanimously.

Supervisor Michael Reynolds filed his revenue and expenditure report with the Board.

Highway Superintendent Jeffery MacCheyne filed his September report with the Board.

Town Clerk Colleen Freese filed her September report with the supervisor. A total of \$ 261.35 was remitted.

Waid moved, seconded by Bassett, that the Highway Fund Vouchers #128-139 in the amount of \$27,644.16 and General Fund Vouchers # 166-185 in the amount of \$36,271.63 be approved for payment. Motion Carried

On the motion of Selover, the meeting was adjourned at 10:00 P.M.

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Supervisor, Michael Reynolds

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Town Clerk, Colleen Freese

TOWN OF COVERT  
REGULAR TOWN BOARD MEETING  
November 9, 2009

Call to Order: The Public Hearing and regular Town Board Meeting was called to order by Supervisor Michael Reynolds at 7:30PM.

<b>Roll Call:</b>	Supervisor Michael Reynolds	Present
	Councilman Gary Hunt	Present
	Councilman Stephen Selover	Present
	Councilman Duane Waid	Present
	Councilman Valerie Bassett	Present

**Others Present:** Town Clerk, Colleen Freese  
Highway Superintendent, Jeffrey Mac Cheyne  
Town Attorney, John Sipos  
Reporter, Aneta Glover

**Residents Present:** Charles Bosman, Daniel & Georgeanne Bakker, and Justice Louis Van Cleef, and Howard Porter.

**Pledge of Allegiance:**

Supervisor Reynolds opened the public hearings.

The purpose of the first public hearing was for a variance under land management Ordinance for Howard Porter 8600 Powell Road to installed 20'x 21' American Steel Carport. There is inadequate clearance on the side and rear lot line to meet the 20' setback required. Application No. 09-26

There was discussion that the car port may be able to be moved a little closer to the house or placed differently on the property, and then it could be reconsidered.

Supervisor Reynolds closed the Public hearing at 7:40.

Supervisor Reynolds opened the second Public hearing at 7:41

The purpose of the second public hearing was to hear comments on the proposed 2010 Budget, including General Town Funds, Highway Funds, Five Town Coordinated Assessment Program Funds, South Seneca Ambulance Fund and Trumansburg and Interlaken Fire Protection District Funds.

Supervisor Reynolds closed the public hearing at 7:45 and opened the regular meeting, with the same people present.

**Approval of Minutes:** October 12, 2009 and Special Meeting October 28, 2009 Town Board Meeting accepted.

Motioned: Councilman Duane Waid

Seconded: Councilwoman Valerie Bassett

Motion carried unanimously

**Petitioner to the Board:**

Charles Bosman thanked the Board for their support in the Conifer Project, and gave a Senior Housing progress report: The Interlaken Senior Housing project is off to a flying start under the leadership of the construction firm of Conifer- Lachase.

The driveway and parking lot off Cayuga Street have been dug, plastic underlayment and stone placed and rolled. The driveway is now passable for large trucks. Asphalt will probably be installed in the spring.

The Construction trailer is in place behind the storage sheds off Cayuga Street, (entrance facing east.) The site is a "Hard Hat" area so please stop at the trailer prior to entering the site. The area to collect runoff has been bulldozed out, and barriers put in place to prevent the runoff of spill into the adjacent stream.

The building area has been leveled and the concrete poured for the footers. Cement blocks have been installed up to ground level for the building.

Note: MR. Bosman will try to keep the Town Board informed on a regular basis as to progress.

MR .Bosman also informed the Board that the Planning Board members were concerned because training for Planning Board members is too far to travel and would cost the Town too much for mileage. They would like to see training closer to this end of the County for Planning Board Members. Daniel Bakker also is concerned and wanted this matter looked into.

Councilwoman Valerie Bassett said we need to check and see if there is any online training or video conferences to meet the requirements for the Planning Board members. Supervisor Reynolds will talk with Harriet Haynes and see what can be done for training locally.

The Board agreed that the Code Enforcement Office needs to give a written report to the Town Clerk each month.

Highway Superintend Jeffrey Mac Cheyne:

- a. Oil & Stone on West Covert, Six Comers, East Covert and County Road 142
- b. Helped Town of Ovid and Romulus oil and Stone
- c. Replaced exhaust pieces on both 10 wheelers
- d. Cold patching on Townline and Halls Comers
- e. Replaced hydraulic pump on 1998 Ten Wheeler
- f. Replaced 24' crossover pipe on Savercool Road
- g. Hauled several free loads of millings from Cayuga Medical and Lowes in Ithaca
- h. Started fall mowing on roadsides and back slopes
- i. Oil and stone with la's stone on Halls Comer Road J. Worked on Federal Stimulus report for Government

Supervisor Reynolds reported that the County is preparing a Request for a Proposal to EAP (Services for Employees) to continue services for the next five years. They are looking for Town and Villages of the County that would be interested in the EAP program.

### **Old Business:**

Hunt moved, seconded by Waid to approve the bid for \$925.00 from Charles Freese to do the ceiling in the Justice Office with a down payment of \$500.00. Motion carried unanimously.

Hunt moved, seconded by Bassett to declare the three old radiators as surplus and a Dell Imprison 3800 lap top as surplus items for sale. Also a 1984 Auto car, 10wheeler, plow and

wing, 5speed main transmission, with a 4 speed air auxiliary, 18000lb.Front Axle, 46000lb rears, 300 Cummins engine, air brakes and 22.5 rubber.

Motion carried unanimously.

**New Business:**

Bassett moved, seconded by Hunt to deny Howard Porters variance request on the recommendation of the Planning Board and a letter received from Carl Pell. Motion carried unanimously.

**RESOLUTION NO.09-09**

Selover moved, seconded by Waid, THAT the 2010 preliminary Budget be adopted as the final budget for 2010 and,

WHEREAS, this Town Board met at the time and place specified in the notice of the Public Hearing on the Preliminary Budget and heard all persons desiring to be heard thereon;

NOW THEREFORE BE IT RESOLVED THAT, The Town Board of the Town of Covert hereby adopts such Preliminary Budget as originally compiled with modifications and amendments, as the Annual Budget of the Town of Covert as for the fiscal year beginning January 1, 2010 and that such budget as adopted be entered in detail into the minutes of the proceeding, of the Town Board, and Be it FURTHER RESOVLED THAT, the Town Clerk of the Town of Covert shall prepare and certify in duplicate copies of said Annual Budget, as adopted pursuant to Section 202, Subd.2 of the Town Law, and deliver one copy thereof to Supervisor of this Town to be presented by him to the Board of Supervisors of this County. Motion Carried unanimously. (See Attached)

Selover moved, seconded by Waid to have a motion sensor light installed on the porch of the main entrance to the municipal building not to cost more than \$150.00.

Motion carried unanimously.

Supervisor Michael Reynolds filed his revenue and expenditure report with the Board.

Town Clerk Colleen Freese filed her September report with the supervisor. A total of \$ 238.75 was remitted.

Waid moved, seconded by Bassett, that the Highway Fund Vouchers #140-155 in the amount of \$59,494.58 and General Fund Vouchers # 186-205 in the amount of \$17,014.17 be approved for payment. Motion Carried

On the motion of Hunt, seconded by Bassett, the meeting was adjourned at 8:45 P.M.

Supervisor, Michael Reynolds

Town Clerk, Colleen Freese



**REGULAR TOWN BOARD MEETING**  
**December 14, 2009**

**Call to Order:** The Public Hearing and Regular Town Board Meeting was called to order by Supervisor Michael Reynolds at 7:30PM.

<b>Roll Call:</b> Supervisor Michael Reynolds	Present
Councilman Gary Hunt	Present
Councilman Stephen Selover	Present
Councilman Duane Waid	Present
Councilman Valerie Bassett	Present

**Others Present:** Town Clerk, Colleen Freese

Highway Superintendent, Jeffrey Mac Cheyne  
Code Enforcement Officer, John Poludniak  
Town Attorney, John Sipos  
Reporter, Aneta Glover  
Seneca County Code Enforcement Office, Chad Haviland  
Justice, Louis Van Cleef  
Court Clerk, Angela Champion

**Residents Present:** Charles Bosman, Daniel and Georgeanne Bakker.

**Pledge of Allegiance:**

**Approval of Minutes:**

- a. November 9, 2009 Town Board Meeting accepted.  
Motioned: Councilwoman Valerie Bassett  
Seconded: Councilman Gary Hunt  
Motion carried unanimously

**Petitioner to the Board:** Seneca County Code Enforcement Officer Chad Haviland discussed the issues of water and mold in the basement, as well as rubbish scattered in basement, breaker panel needs labeling, Fire extinguishers labeled and mounted and do a off premises fire alarm test. These items need to be fixed in order for a certificate of occupancy to be issued. Mr. Haviland also stated that mold is a serious health issue and can cause death.

John Poludniak shared some facts about an air purification system that can remove the mold, bacteria and fungi. The technology is called Eco Tech that combines two different types of ionization along with RCI Technology and activates oxygen to purify indoor air. Mr. Poludniak offered to let the Town try it out for one week to see how it works. Councilman Hunt said to bring it in, so they could see what it does.

**Old Business:**

Highway Superintendent Jeffrey Mac Cheyne: Reported that the delivery date for the new Town truck will be around January 4, 2009.

Supervisor Reynolds reported that the Highway department was interested in the Employee Assistance Program.

Waid moved, seconded by Bassett that the Town of Covert will pay for employee in the Highway Department to receive the benefit of the Employee Assistance Program.  
Motion carried unanimously.

Hunt moved, seconded by Waid to accept bids for surplus items, Dell-lap top for \$15.00 and 3-radiator heaters at \$ 40.00 each. Motion carried unanimously.

Bassett moved, seconded by Hunt to approve the signing of the Interlaken Fire Protection District Contract for 2010, in the amount of \$67,261.94.  
Motion carried unanimously.

Hunt moved, seconded by Bassett to resubmit Howard Porter building permit No. 09-24 to the Planning Board to review new information.  
Motion carried unanimously.

**New Business:**

**Resolution No. 09-09**

Bassett moved, seconded by Selover the Following:

BE IT RESOLVED that The Town Board of The Town of Covert supports the Village of Trumansburg to investigate billing and work out the details that are associated with that billing and present that to the Town of Covert in the next 30 days.

Councilman Gary Hunt -Aye                      Councilman Stephen Selover-Aye  
Councilwoman Valerie Bassett -Aye        Councilman Duane Waid -Aye  
Adopted

Waid moved, seconded by Hunt the following:

BE IT RESOLVED that The Town Board of the Town of Covert along with the Village of Trumansburg, the Town of Hector and the Town of Ulysses look at developing a fire district or an advisory board (made up of municipal representative based on contributions) to oversee the expenditures for EMS and Fire Department.

Councilman Gary Hunt- Aye              Councilman Stephen Selover -Aye  
Councilman Duane Waid- Aye        Councilwoman Valerie Bassett- Aye  
Adopted

Selover moved, seconded by Bassett to approve the signing of the 2010 South Seneca Ambulance Contract for the budgeted amount of \$23,634.34.  
Motion carried unanimously.

Selover moved, seconded by Hunt that the Town Board of the Town of Covert does hereby authorize Town Attorney John M. Sipos to attend the Annual Meeting of The Association of The Town of the State of New York. The Town Board of the Town of Covert does hereby designate Town Attorney John M. Sipos as delegate to represent the Town of Covert.  
Motion carried unanimously.

The Annual Year End Meeting of the Town of Covert Board will be held Monday, December 28, 2009 at 7:00 PM at the Town of Covert Municipal Building, 8469 South Main St., Interlaken, New York.

Waid moved, seconded by Bassett that the Town Board of The Town of Covert does hereby re-appoint Raymond Langlois to the Planning Board, term to expire December 31, 2014. Motion carried unanimously.

Hunt moved, seconded by Waid, that highway Fund Vouchers # 156-170 in the amount of \$28,122.30 and General Fund Vouchers # 207-230 in the amount of \$34,042.75 be approved for payment. Motion carried unanimously

Supervisor Michael Reynolds filed his revenue and expenditure report with the Board.

Highway Superintendent Jeffrey Mac Cheyne filed his November written report with the Board.

Town Clerk Colleen Freese filed her November report with the supervisor. A total of \$276.82 was remitted.

On the motion of Selover, seconded by Bassett, the meeting was adjourned at 9:00

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**Michael G. Reynolds, Supervisor**

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**Colleen R. Freese, Town Clerk**

**TOWN OF COVERT**  
**REGULAR TOWN BOARD MEETING**  
**December 28, 2009**

**Call to Order:** Public Hearing and regular Town Board Meeting was called to order by Supervisor Michael Reynolds at 7:30PM.

<b>Roll Call:</b>	Supervisor Michael Reynolds	Present
	Councilman Gary Hunt	Present
	Councilman Stephen Selover	Present
	Councilwoman Valerie Bassett	Present
	Councilman Duane Waid	Present

<b>Others Present:</b>	Town Clerk, Colleen Freese	Present
	Highway Superintendent, Jeffery Mac Cheyne	Absent
	Deputy Town Clerk, Diane Bassette Nelson	Present
	Reporter, Aneta Glover	

**Residents Present:** William Shaw Justice Elect, Donald Kenyon, Daniel & Georgeanne Bakker, Justice Louis Van Cleef, Court Clerk Angela Champion, Brayton Foster, and Ann Morgan

**Pledge of Allegiance:** 7:00 pm

Supervisor Reynolds opened the public hearings.

**Public hearing #1:** the resubmitting of a variance request under the Land Management Ordinance for Howard Porter 8600 Powell Road to install a carport a 21' x18' that does not meet the required 20 foot setback from the neighbor's property line, application # 09-26.

The Planning Board recommends that the variance request for Howard Porter be approved with stipulations.

No comments from the floor or board.

Supervisor Reynolds closed the public hearing at 7:03p.m.

Supervisor Reynolds opened Public hearing #2 at 7:04 p.m.

**Public hearing #2** To repeal Local Law No. 1-96 and introduce Local Law No 2-09, for Alternative Veterans' Tax Exemption

Ann Morgan, Assessor gave a brief explanation of changes, revised amount based on disability rating and/or status of service. County passed the amended exemption in January; Covert is the last government to approve; 2009 Covert tax roll has 109 veteran's exemptions; some of these may be both combat and disability. The total of these exemptions is approximately \$1,600,000. Recommendation is that the old law be repealed and new one approved even though it is basically an amendment.

The increase and exemption is multiplied by the current equalization rate of 87.5%. In reply to a question, Ann noted that the last re-evaluation of property was in 2007; a new revaluation was scheduled for 2010, but has been rescheduled for 2011.

Don Kenyon noted that it is the least we can do.

Supervisor Reynolds closed the public hearing at 7:08 PM.

Justice Louis VanCleaf administered the oath of office to the following newly elected or reelected town officers:

Colleen Freese Town Clerk  
William Shaw Town Justice  
Gary Hunt Town Councilman  
Michael Reynolds Town Supervisor  
Duane Waid Town Councilman

Supervisor Reynolds opened the regular meeting at 7:13 PM with the same people in attendance.

### **Approval of Minutes**

Motion by Councilman Gary Hunt, Seconded by Councilman Valerie Bassett, that the meeting minutes of the December 14, 2009 minutes be accepted. Carried Unanimously

### **Petitioners to the Board:**

Brayton Foster: questioned amount of raises for highway dept. (2.2% in 2010), and questioned amount of the raise for the county manager, Mike replied that she started at bottom of pay scale, county board felt the raise was justified.

Also a raise for Democrat sheriff by Republican board All in county getting 3% these two are getting additional above that.? It was noted that there will be a public hearing at the next county board meeting.

Don: county manager proposed budget and she gets the highest raise. This sets a bad example. Also \$4M that was transferred; 2007 \$87K was taken from account, now in 2010 \$4M is taken from account for tax stabilization. Where did this account come from?

Supervisor Reynolds noted that sales tax receipts are up considerably which is funding this account.

**Highway Superintendent Jeffery MacCheyne:** not present

**Attorney for Town: John Sipos** not present

**Town Clerk:** Tax bills were mailed out.

**Committees: Councilwoman: Valerie Bassett** no report

**Councilman: Gary Hunt** in response to his question there are 43 war, 39 combat veterans in town, and a total of 28 in village

**Councilman: Steve Selover** no report

**Councilman: Duane Waid** no report

**Supervisor: Michael Reynolds**

**Old Business:**

Motion by Councilman Valerie Bassett that the variance request for Howard Porter, 8600 Powell Road be approved with the contingency added by planning board, seconded by Councilman Duane Waid, carried unanimously. The comment was made to make sure John checks on the placement.

**NEW BUSINESS:**

Resolution for the Alternative Veterans' Tax Exemption Local Law No 2-09  
Motion by Gary Hunt, second by Valerie Bassett to repeal local law #1-96 and approve local law No 2-09 Alternative Veterans' Tax Exemption as attached; carried unanimously.

Historical Society request to use Municipal Building on January 25, 2010  
Resolution does not need to come before board, file paper work and place on calendar.

Village Board request to use the Municipal Building on January 7, 2010.  
Does not need resolution, has been added to calendar. The question was raised as to why these meetings are scheduled for mid-day? It was suggested that the meetings take place later in the day.

No year-end fund balances were presented. There were no bills presented for payment.

Question asked have the CHIPs funds been received. \$82K received.

Discussion on how funds are reported. The board requested that the bookkeeper attend the January meeting to explain fund balances.

It was noted that the Town Clerk prepares the abstract for the meeting, bookkeeper's report is after the meeting.

Daniel Bakker: Planning Board is requesting training for: SEQRA, windmills, cell towers, shared municipal services.

On the motion of Gary Hunt, the meeting was adjourned at 8:00 P.M. carried.

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Supervisor, Michael Reynolds

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Deputy Town Clerk, Diane Bassette Nelson

Town of Covert, Local Law #2 of the year 2009  
A local law providing for the alternative veterans' exemption from the real property taxation.

Be it enacted by the Town Board of the Town of Covert as follows:

Section 1.

The purpose of this law is to set the maximum veterans exemption allowable pursuant to Section 458-a of the Real Property Law of the State of New York.

Section 2.

Pursuant to the provisions of Subdivision 2(d) of Section 458-a of the Real Property Tax Law of the State of New York, the maximum veterans exemption from real property taxes allowable pursuant to Section 458-a of the Property Tax Law is established as follows:

- (a) Qualifying residential real property shall be exempt from taxation to the extent of fifteen percent of the assessed value of such property; provided, however, that such exemption shall not exceed the lesser of twelve thousand dollars or the product of twelve thousand dollars multiplied by the latest state equalization rate for the town in which the property is situated.
- (b) In addition to the exemption provided by paragraph (a) of this section, where the veteran served in a combat theatre or combat zone of operations, as documented by the award of a United States campaign ribbon or service medal, qualifying residential real property shall be exempt from taxation to the extent of ten percent of the assessed value of such property provided, however, that such exemption shall not exceed the lesser of eight thousand dollars or the product of eight thousand dollars multiplied by the latest state equalization rate for the town in which the property is situated.
- (c) In addition to the exemptions provided by paragraphs (a) and (b) of this section, where the veteran received a compensation rating from the United States Veterans' Administration because of a service connected disability, qualifying residential real property shall be exempt from taxation to the extent of the product of the assessed value of such property multiplied by fifty percent of the veteran's disability rating, provided, however, that such exemption shall not exceed the lesser of forty thousand dollars or the product of forty thousand dollars multiplied by the latest state equalization rate for the town in which the property is situated.

Section 3

Be it enacted that Local Law No 2 of 1995, a local law providing for lesser alternative veterans' exemptions from the real property taxation, is hereby repealed.

Section 4.

This Local Law shall take effect immediately upon filing with the Secretary of State.

	Wartime	Combat	Disability
Current Level	\$9,000	\$6,000	\$30,000*
Proposed Level	\$12,000	\$8,000	\$40,000*

\*Depending on level of disability rating.