

**TOWN OF COVERT  
BOARD MEETING AND  
ORGANIZATIONAL MEETING  
JANUARY 9, 2012**

The organizational and regular meeting of the Town Board of the Town of Covert was held Monday, January 9, 2012 at 7:00pm at the Town of Covert Municipal Building, 8469 South Main Street, Interlaken, New York.

<b>Roll Call:</b>	Supervisor Michael Reynolds	Present
	Councilman Gary Hunt	Present
	Councilman Jeffrey Vann	Present
	Councilman Charles Bosman	Present
	Councilman Duane Waid	Present

**Others Present:** Town Clerk, Colleen Freese  
Highway Superintendent, Jeffrey Mac Cheyne,  
Reporter Aneta Glover, Valerie Bassett, Donald Kenyon, Dick Westbrook, Ralph Bailey,  
Kasson Crooker, Robert & Linda Schoffel, William & Diana Millard.

**Call to order**

Supervisor Reynolds called the meeting to order at 7:00 p.m. All rose for the pledge of allegiance.

**Approval of Minutes:**

Hunt moved, seconded by Waid, that the minutes from December 19, 2012 regular meeting and yearend minutes from December 27, 2012 be approved. Motion carried unanimously.

**OATH OF OFFICER:**

Justice Shaw swore in the following officials in office, Michael Reynolds Town Supervisor, Jeffrey Vann and Charles Bosman as Councilman, Jeffrey Mac Cheyne as Highway Superintendent and Colleen Freese as Town Clerk.

**ORGANIZATIONAL**

Waid moved, seconded by Bosman, that for the 2012 year the Town Board sets 50 cents per mile reimbursement as mileage allowance for personal vehicles used by Town Officers while performing official duties other than attendance at Town Board Meetings or Town Court Proceedings. Motion carried unanimously.

Bosman moved, seconded by Hunt, to authorize that Community Bank, N.A., Interlaken Branch, be designated the official bank of the Town of Covert and Town Justice William Shaw and the Supervisor be authorized to invest town monies consistent with the requirements of New York State and with appropriate consideration given to elements of safety, liquidity and yield. Motion Carried unanimously.

Hunt moved, seconded by Bosman, to authorize Highway Superintendent MacCheyne to spend up to \$500.00 per purchase to acquire equipment, tools, and implements and \$1,000.00 for repairs during 2012 without prior approval of the Town Board. Motion carried unanimously.

Waid moved, seconded by Bosman, to designate the Interlaken Review as the official newspaper of the Town of Covert for the year 2012. Motion carried unanimously.

Vann moved, seconded by Bosman, to appoint Christopher Austin as Dog Control Officer at the

budgeted Salary. For the year 2012, the Town of Covert agrees to lease the private kennels of Dog Control Officer for \$55.00 per month; additional \$5.00 per day fee for each dog will be charged to the owner upon redemption of impounded dog, or to the Town in the event of euthanasia. Motion carried unanimously.

Hunt moved, seconded by Waid, to appoint John Poludniak as Code Enforcement Officer for 2012 at the budget amount and 50 cents per mile. Motion carried unanimously.

Hunt moved, seconded by Bosman, to appoint Ralph Jones as cleaner to the Town of Covert Municipal Building, at the wage of \$8.50 per hour for the year 2012. Motion carried unanimously.

Vann moved, seconded by Bosman, to appoint Ralph E. Jones as cleaner at the Town of Covert Highway Department, at the wage of \$8.50 per hour for the year 2012. Motion carried unanimously.

Waid moved, seconded by Vann, to appoint Charles R. Freese as maintenance man of the Town of Covert Municipal Building, at the wage of \$8.50 per hour for year 2012. Motion carried unanimously.

Vann moved, seconded by Bosman, to allow Supervisor Reynolds to file his 2011 annual report with the Town Clerk by the same date and in the same matter as Annual Report is required to be filed with the State Comptroller. Such authorization is allowed by Town Law Section 29 (10a). Motion carried unanimously.

Hunt moved, seconded by Waid, to appoint Mr. Outside to mow the lawns at the Municipal Building Town Hall and Covert Cemetery for an amount not to exceed \$3,550.00 for the year 2012. Motion carried unanimously.

Bosman moved, seconded by Waid, that the salaries of all elected and appointed officers shall be the amount indicated by the currently effective resolution or the amount budgeted in the 2012 budget. Wages of hourly highway employees shall be set by the Highway Superintendent with concurrence by the Town Board within the limits of the Highway Budget. Payment of salaries and wages shall be at times and dates that are legally permissible and mutually acceptable to the Supervisor and the recipients. Motion carried unanimously.

### **APPOINTMENTS BY ELECTED OFFICIALS**

Highway Superintendent MacCheyne appoints Glenn Boyes as Deputy Highway Superintendent for 2012.

Town Clerk appoints Leslie Adams-Compton as Deputy Town Clerk and Registrar of Vital Statistics, Tax Collector. Wage shall be \$8.50 per hour.

Town Justice William Shaw appoints Angela Champions Clerk to the Town Justice. Salary shall be as budgeted.

#### **Supervisor Reynolds makes the following appointments for 2012:**

Bookkeeper and Secretary to the Supervisor -- Diane Bassette Nelson

Budget Officer -- Michael Reynolds

Deputy Supervisor -- Gary Hunt

Four Town Assessment Committee -- Duane Waid and Michael Reynolds

Historian for the Town -- Diane Bassette Nelson

Highway Committee -- Gary G. Hunt, Chairman and Jeffrey Vann

Courts, Ordinances & Law Enforcement – Charles Bosman, Chairman and Gary Hunt

Utilities & Insurance -- Duane C. Waid, Chairman and Gary G. Hunt

Personnel -- Duane C. Waid, Chairman and Charles Bosman

Planning and Buildings -- Gary G. Hunt, Chairman and Jeffrey Vann

Fire and Ambulance -- Jeffrey Vann, Chairman, Michael G. Reynolds and Chuck Bosman

Any appointment which may have been overlooked shall continue to be filled by the incumbent subject to review by the appropriate appointing authority.

## **RETURN TO REGULAR MEETING**

### **Petitioner to Board:**

William Millard addressed the Board about more details and clarity as items are discussed at the board meeting. It is hard to hear and without information on the subject that is being discussed it is hard to know what the board is talking about. Mr. Millard is also concern about properties being up-dated and listed on the tax roll and asked that this matter would be discussed with the assessor.

Councilman Waid replied if the information is presented to him, he will go and talk with the assessor about the properties and report back to the board.

Councilman Vann stated there has been discussion about sitting down with the assessor and talking about the assessment. He asked Supervisor Reynolds to set up a meeting with the Assessor to discuss the assessments. Who is the towns official spokes person for the Five Town Assessment Group?

Mr. Kenyon stated that Walt Prouty, Supervisor of Ovid, is the Chief Fiscal Officer of the assessment group.

Supervisor Reynolds shared that the town Supervisors did meet with the Assessor back in September and went over how assessments are being handle and they were satisfied with the answers.

Councilman Vann requested the following to be inserted in the minutes:

For the record, newspaper articles are a form of documented facts or they should be especially for town meetings. Let it be known that Newski Inc., DBA, the Finger Lakes Community Newspapers, in its December 28<sup>th</sup> news article on an amendment to the Covert Land Management Ordinance misrepresented the fact that it had passed that all residents were to receive an enumeration and property owners would have to be on the property for the purpose of installing enumeration. The fact are that all Covert properties are all ready enumerated as their present address, the amendment didn't pass it is still a working document under review, and only applies when obtaining a building permit for a new structure with the installation of a roadside address sign.

**Reports:**

**Highway Superintendent:**

Highway report attached. Superintendent Mac Cheyne reported the town may still receive a grant for the Frontenac bridge repairs.

**Town Clerk:**

Town Clerk filed her 2011 yearend report with the board.

**Tax Collector Report:**

Tax Collector Freese reported that three hundred thousand dollars has been collected for taxes.

Councilman Vann and Councilman Bosman attended the meeting for newly elected official. Bosman reported that he received information on courts audit and monthly reports of caseloads and would like to see the Board implement these reports to be received on a monthly bases from the Town Justice.

Councilman Vann stated, when holding interviews with attorneys there needs to be a sheet with the same questions to ask each attorney and it is important to choose an attorney soon.

**Supervisor:**

On the village property at 8392 Main Street, Interlaken over the years the village has made many attempts with the owner to fix the building up. The property has the potential for dangerous situation to occur. This matter was turned over to County Office and they plan to demolish the building. The Village would like a resolution of support for this matter if the board is in agreement to have the building demolished.

Councilman Vann stated that the county doesn't have any more money to demolish a building. There may be asbestos and rules have to be followed to remove it for the safety of the public.

There was much discussion on the Trumansburg Fire and Ambulance Contract and the decision was to wait on signing the Contract until the town has an attorney to review the contract.

The proposed amendment to the Land Management Ordinance was discussed and the revision will be posted on the town website and discussed for approval at next month's board meeting.

**RESOLUTION 1-12**

**Whereas** the property at 8392 Main Street, has been recorded in the minutes of the Village of Interlaken as a problem property for over 20 years, and

**Whereas** the property owner, Zbignew Majewski, has repeatedly promised to improve the property with little or no appreciable actions being taken, and

**Whereas** for the past two years numerous efforts have been made by public officials and re-development groups to enforce the necessary improvements with no appreciable action by the owner, and

**Whereas** the building is both structurally unsafe and a significant hazard to the community, and

**Whereas** the Village of Interlaken was advised by numerous officials within the County that County

Codes supersede village codes on unsafe buildings, and

**Whereas** the Seneca County Board of Supervisors did accept a bid to remove the said 8392 Main Street building,

**Now Therefore It Be Resolved** that the Town of Covert, Town Board does hereby support the Village of Interlaken and request that the County Health and Safety Committee and the Seneca County Board of Supervisors do follow through on their planned demolition of the said 8392 Main Street, property.

Motion by: Hunt-----Second by: Waid, Ayes—Bosman, Vann, Hunt and Waid and Reynolds.

Bosman moved, seconded by Hunt, to approve the Interlaken Fire contract with correction made as discussed. Motion carried.

Waid moved, seconded by Bosman, to approve the Town Clerk 2011 yearend report.  
Motion carried.

Bosman moved, seconded by Vann to approve the American Legion Post770 to renew their license to conduct the Game of Chance. Motion carried.

Hunt moved, seconded by Waid, that Highway Fund Vouchers #1-11, in the amount of \$12,858.49 and General Fund Vouchers #1-14, in the amount of \$79,127.57 be approved for payment.  
Motion carried

Highway Superintendent, Jeffrey MacCheyne, filed his December, 2011 written report with the Board.

Code Enforcement Office, John Poludniak, filed his December, 2011 written Town Clerk no permits were issued.

Supervisor Reynolds filed his revenue and expenditure report for December, 2011.

Town Clerk Freese filed her December, 2011 report with the Supervisor. A total of \$261.25 was remitted.

On the motion of Hunt, the meeting was adjourned at 9:00 p.m.

**TOWN OF COVERT  
SPECIAL TOWN BOARD MEETING  
JANUARY 18, 2012**

The Town Board of the Town of Covert held a Special Meeting Wednesday, January 27, 2012 at 5:00 p.m. at the Town of Covert Municipal Building, 8469 South Main Street, Interlaken, New York.

<b>Roll Call:</b> Supervisor Michael Reynolds	Present
Councilman Duane Waid	Present
Councilman Charles Bosman	Present

Others Present: Bradley Pinsky.

**Call to Order:**

Supervisor Reynolds called the meeting to order at 5:00 p.m.

Bosman moved, seconded by Waid, to enter into an executive Session for the purpose of interviewing a prospective attorney for the Town of Covert.

Executive session closed at 6:30 p.m.

Reynolds moved to adjourn the meeting.

Meeting adjourned at 6:32 p.m.

Respectfully submitted,

Supervisor Michael, Reynolds

**TOWN OF COVERT  
SPECIAL TOWN BOARD MEETING  
JANUARY 27, 2012**

The Town Board of the Town of Covert held a Special Meeting Wednesday, January 27, 2012 at 5:00 p.m. at the Town of Covert Municipal Building, 8469 South Main Street, Interlaken, New York.

<b>Roll Call:</b> Supervisor Michael Reynolds	Present
Councilman Duane Waid	Present
Councilman Charles Bosman	Present
Councilman Gary Hunt	Present

Others Present: Donald Kenyon, Marilyn Crooker, Will & Diana Millard, Aneta Glover, and Robert Schoffel.

**Call to Order:**

Supervisor Reynolds called the meeting to order at 5:00 p.m. All rose for the pledge of allegiance.

Waid moved, seconded by Bosman, to enter into an executive session for the purpose of discussing employment for an "Attorney for the Town" of Covert. Aye- Hunt, Aye-Waid, Aye-Vann, Aye-Bosman and Aye-Reynolds. Motion carried.

Executive session opened at 5:05p.m.

Hunt moved, seconded by Bosman, that executive session be closed at 5:40 p.m.

Returned to regular meeting at 5:41p.m.

Waid moved, seconded by Bosman, to hire Attorney Patrick Morrell, as Attorney for the Town of Covert for the year 2012 at the budgeted salary for 2012. Aye -Hunt, Aye-Vann, Aye-Bosman, Aye- Waid, and Aye- Reynolds

Hunt moved to adjourn the meeting.

Meeting adjourned at 5:40 p.m.

Respectfully submitted,

**TOWN OF COVERT  
BOARD MEETING AND  
FEBRUARY 13, 2012**

The regular meeting of the Town Board of the Town of Covert was held Monday, February 13, 2012 at 7:00pm at the Town of Covert Municipal Building, 8469 South Main Street, Interlaken, New York.

<b>Roll Call:</b> Supervisor Michael Reynolds	Present
Councilman Gary Hunt	Present
Councilman Jeffrey Vann	Present
Councilman Charles Bosman	Present
Councilman Duane Waid	Present

**Others Present:** Attorney Patrick Morrell, Town Clerk Colleen Freese, Highway Superintendent Jeffrey Mac Cheyne, Reporter Aneta Glover, Valerie Bassett, Donald Kenyon, Dick Westbrook, Ralph Bailey, Kasson & Marilyn Crooker, Robert & Linda Schoffel, William & Diana Millard, Mitch Perry, Nick Scott, Lee Davidson, Barbara Stewart, Fran Stevenson and Charles Franzese

**Call to order:**

Supervisor Reynolds called the meeting to order at 7:00 p.m. All rose for the pledge of allegiance.

**Approval of Minutes:**

Hunt moved, seconded by Waid, to approve the minutes from January 9, 2012 and, special meeting minutes from January 18, 2012 and January 27, 2012. Motion carried unanimously.

**Petitioner to Board:**

Barbara Stewart, Village Water Commissioner, Fran Stevenson-Village of Lodi Mayor, Charles Franzese-Hunt Engineer and Lee Davidson-Town of Lodi Supervisor discussed the proposal from Hunts Engineers to do a feasibility water study for a second water source. The study will examine shoreline wells near Seneca Lake and the potential cost for pumping water to participating municipalities. The cost will be \$11,500.00; if the Town of Covert participates in the study this amount, divided equally between the five municipalities will cost \$2,300.00 each. The Village of Interlaken, Trumansburg, and Lodi and the Town of Lodi have committed to the study.

**Reports:**

**Highway Superintendent:**

Highway Superintendent Mac Cheyne responded to Councilman Bosman's inquiries about the status of Seneca Road/Congress street situation. "The Village of Trumansburg has offered their help with the project." Mac Cheyne asked if the Town is responsible for handling this water situation." Mr. Morrell Attorney for the Town said he would have to do some research on this situation.

**Town Clerk:**

Town Clerk Freese requested the Town Board consider her attending the Town Clerks Association Conference. The conference will be in Saratoga Springs, April 22-25, 2012.

**Town Attorney:**

Attorney Patrick Morrell thanked the Town Board for the opportunity to serve as “attorney for the town” and stated that he is looking forward to working together.

**Committees:**

Councilman Bosman reported on the annual audit report from the Court. He provided the Justice with new forms that the state requires. He also discussed the caseloads of the court for January 2011 and January 2012 and that caseloads are down this year.

Councilman Waid reported that the Insurance rates have gone down and the town received a capital refund check for \$905.10.

Supervisor Reynolds discussed Lasting Impression Property Services’ proposal. The annual cost to tend the Town of Covert grounds would be \$2,875.00 for 2012. At this time, the Town has an agreement with Mr. Outside.

There was a lengthy discussion on the Trumansburg Emergency Medical Services. Councilman Vann asked what would it cost for Trumansburg to provide ambulance coverage for the whole Town of Covert, and does the town really need to form a district?

There was discussion on South Seneca Ambulance Service, and questions whether there has been any response to the request for a 2011 audit. The Board requested a letter to be sent to South Seneca Ambulance Services asking for a response, in writing, if they are not going to provide an audit for 2011. The deadline for them to respond is February 24, 2012.

**Action:**

**RESOLUTION –2-12**

THAT WHEREAS, in order to insure fast and accurate response of emergency, fire and police squads, the Town Board of the Town of Covert amends the Covert Land Management Ordinance as follows:

2. Receiving a building permit for any structure on new or existing premises will require that an assigned property address number sign be erected within two weeks after commencement of the work. All assigned premise address numbers must be obtained from Seneca County 911 Address Clerk at 1-315-539-1921. The address sign shall be 18”x6” minimum size, reflective green painted or vinyl clad, with reflective white numbers 4” high, with a stroke width of ½”, placed on each side. Mailbox vertical sign installation height requires any part of the sign be installed within the height of the mailbox floor or higher. Mailbox signs can be mounted horizontally on the top of the mailbox or two separate single-sided signs on each side of the mailbox walls. For single post installation, top of sign must be 4’ minimum height. All signs must be visible from either direction and shall be as follows:

- A. On premises with a mailbox on the same side of the road as the structure, the sign may be attached vertically to the mailbox post, horizontally to the mailbox or on a separate post.
- B. On premises opposite side of the road from a mailbox or on premises with no mailbox, the signs shall be placed in a vertical manner on a post on the same side as premises.
- C. On premises located on a marked fire road (ex. A, B, C) or a named beach road, signs shall be placed adjacent to the property on a post on the same side as the structure.
- D. On premises located on an unmarked road, signs shall be placed at the road entrance side of the highway. If that unmarked road contains more than one legal addressed premise, a second sign shall be placed in front of the structure. Additional signs may be required at each intersection of road leading to the premises.
- E. Contact the local Code Enforcement Officer for any application that cannot be determined from above.

Where any type sign support method is expected to penetrate the ground, the owner/installer is required to call 811 (dig Safely N.Y.) to obtain further information with a process to identify any underground utilities (New York State Law). A copy of the Covert Land Management Ordinance shall be attached to all building permit applications.

BE IT RESOLVED that the Town of Covert agrees to amend the above to the Covert Land Management Ordinance on February 13, 2012. Bosman moved, seconded by Vann. Aye- Bosman, Aye-Vann, Aye –Hunt, Aye- Waid and Aye-Reynolds. Motion carried.

Hunt moved, seconded by Waid, to reappoint John Swanson III to the Planning Board for the seven year term. Motion carried unanimously.

Hunt moved, seconded by Vann, to approve the request of Cayuga Lake Triathlon Club to use public roads in our jurisdiction for the bicycle portion of their race on August 10, 2012. Motion carried unanimously.

Bosman moved, seconded by Vann, to approve the 2012 Trumansburg Fire Protection Agreement in the amount of \$40,863.50. Motion carried unanimously.

Bosman moved, seconded by Waid, to accept the 2012 revenue audit report from the Court Justice. Motion carried unanimously.

Bosman moved, seconded by Vann, to send Town Clerk Freese to the New York State Town Clerk Association Conference being held April 22-25, 2012 in Saratoga Springs, New York. Motion carried unanimously.

Waid moved, seconded by Bosman, that Highway Fund Vouchers #12- 33, in the amount of \$ 107,912.86 and General Fund Vouchers #15- 35, in the amount of \$ 77,803.53 be approved for payment. Motion carried unanimously.

Highway Superintendent, Jeffrey MacCheyne, filed his January 2012 written report with the Board.

Code Enforcement Office, John Poludniak, filed his January 2012 written report with the Town Clerk. No permits were issued.

Supervisor Reynolds filed his revenue and expenditure report for January 2012.

Town Clerk, Colleen Freese filed her January 2012 report with the Supervisor. A total of \$412.15 was remitted.

Tax Collector, Colleen Freese reported that she has collected \$1,545,586.48 in paid taxes and there is \$358,688.69 in unpaid taxes to be collected.

On the motion of Reynolds, the meeting was adjourned at 9:20 p.m.

Respectfully Submitted,

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Town Clerk, Colleen Freese

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Supervisor, Michael Reynolds

**TOWN OF COVERT  
REGULAR TOWN BOARD MEETING  
MARCH 12, 2012**

The regular meeting of the Town Board of the Town of Covert was held Monday, March 12, 2012 at 7:00 pm at the Town of Covert Municipal Building, 8469 South Main Street, Interlaken, New York.

<b>Roll Call:</b> Supervisor Michael Reynolds	Present
Councilman Gary Hunt	Present
Councilman Jeffrey Vann	Present
Councilman Charles Bosman	Present
Councilman Duane Waid	Present

**Others Present:** Attorney Patrick Morrell, Town Clerk Colleen Freese, Highway Superintendent Jeffrey MacCheyne, Reporter Aneta Glover, Valerie Bassett, Donald Kenyon, Dick Westbrook, Ralph Bailey, Robert & Linda Schoffel, William & Diana Millard, Mitch Perry, Nick Scott, Diane Bassette Nelson, Keith Jay and Cynthia Koppel.

**Call to order:**

Supervisor Reynolds called the meeting to order at 7:00 p.m. All rose for the pledge of allegiance.

**Approval of Minutes:**

Hunt moved, seconded by Waid, to approve the minutes from March 12, 2012 Motion carried unanimously.

**Petitioner to Board:**

Mitch Perry addressed the Board regarding the mowing proposal he and Nick Scott had presented to the board. He informed the board there is a New York State Law that says the Town Board can appeal any act or resolution. Attorney Morrell stated there is a law that allows the Town Board to rescind but there is another party involved and the Board has obligation to Mr. Outside from when the appointment was made at the organizational meeting. Attorney Morrell stated the job did not have to go out for bid.

**Reports:**

**Highway Superintendent:**

Highway Superintendent MacCheyne reported that the fuel tanks at the Highway barn have water in them and it has affected the equipment. The tanks are thirty years old. They have sucked water off the bottom of the tanks and they are always replacing the filters to use up the fuel. A temporary tank has been installed. It was suggested that a roof be erected over the tanks to protect them from the weather.

**Town Clerk:**

Town Clerk Freese reported that the record retention policy that the town has had in place since 1982 needs to be updated. The state now requires a MU-1; this provides a retention schedule for various records, of what needs to be a permanent record or when records can be discarded.

**Committees:**

Councilman Bosman reported on the Town of Covert Court. There seems to be improvement after meeting with all parties involved. There were 19 traffic cases in the month of January and there were 45 traffic cases in the month of February. The Village has hired a new part-time Deputy Sheriff to work during school hours. Mr. Bosman has also asked the court, as well as, the Highway Superintendent and the Town Clerk, to provide an updated list of equipment for insurance purposes.

Councilman Bosman also reported the Volunteer Income Tax Assistance Program has saved residents money. There has been about 355 tax returns prepared countywide. Bosman has prepared about 71 tax returns for the Town of Covert.

Councilman Vann asked if there was a budget for the Five Town Assessment Group that shows their yearly expense. In the local Law, it requires that the Five Towns Boards individually review the Assessors budget in September.

Councilman Waid stated he supports Geo-Caching trails that are along the Cayuga Lake Scenic Byway. They bring many people in the area and to the wineries. As a Board Member, I feel we should not spend town money for this project. The board members agreed.

Supervisor Reynolds asked the board if they had any concerns about the Memorandum of Understanding for the Preliminary Engineering Report that Attorney Morrell provided. The Councilmen were concerned that the amount of \$2,300.00 that the boards agreed to was not in writing in the memorandum. (referrer to Resolution 3-12 below.)

Attorney Morrell stated he could make the change including the "\$2,300.00" as requested by the board.

There was a lengthy discussion on the cost to have Trumansburg Ambulance provide services for the whole Town of Covert. With many questions and concerns, the board called a special meeting Friday, March 16, 2012 at 7:00 pm with Trumansburg representatives to address these concerns.

**Actions:**

Bosman moved, seconded by Hunt, that the variance request application #1-12 for Paul & Maxine Flagg, 8139 Interlaken Beach Road, Interlaken to replace a barn with a 36'x36' residential be referred to the Planning Board. A public hearing will be held at the Municipal Building, April 9, 2012 at 7:00 p.m. Motion carried unanimously.

Bosman moved, seconded by Hunt, that the variance request application #2-12 for Morgan & Julia Thompson, 8411 Holton Beach Road, Interlaken, to replace an existing addition with a 20'x 20' addition, be referred to the Planning Board. A public hearing will be held at the Municipal Building, April 9, 2012 at 7:00 p.m. Motion carried unanimously.

**TOWN OF COVERT-RESOLUTION 3-12  
MEMORANDUM OF UNDERSTANDING FOR PRELIMINARY  
ENGINEERING REPORT**

This Agreement made and entered into this date between the Town of Covert (Covert), the Town of Lodi (Lodi

Town), the Village of Lodi (Lodi Village), the Village of Interlaken (Interlaken) and the Village of Trumansburg (Trumansburg), all parties being municipal subdivisions of the State of New York:

**WHEREAS** Hunt Engineers, Architects & Land surveyors, PC (Hunt) has presented a proposal for professional services relating to the potential interconnection of existing and proposed water systems in and among the municipalities named above;

**WHEREAS** the municipal parties named above wish to accept the proposal of Hunt and to establish the parameters within which they will relate to each other with regard to this proposal;

**WHEREAS**, each party enters into this agreement pursuant to Article 5-G of the General Municipal Law to share in the expenses and benefits of conducting a preliminary engineering report for this purpose;

**NOW, THEREFORE, THE PARTIES HERETO AGREE AS FOLLOWS:**

1. The parties commit to enter into the Agreement for Services presented by Hunt;
2. Lodi Town will act as "Lead Agent" for the project and act as liaison between Hunt and the municipal parties;
3. Compensation and expenses of Hunt under terms of the Agreement for Services will be divided evenly between all municipal parties;
4. Hunt will submit their bills for payment to Lodi Town, which will pay the bills submitted and seek reimbursement from the other municipalities under the terms of this Memorandum of Understanding;
5. At no time will any municipal party be obligated for more than \$2,300.00 as specified in the Agreement for Services and Scope of Services for this project;
6. This Memorandum of Understanding is specific to the terms and duration of the Agreement for Services presented by Hunt for the Preliminary Engineering Report for Potential Regional Water Production & Distribution Interconnection Study. Obligations beyond the express terms of that agreement will require the further agreement of all municipal parties;
7. This agreement constitutes the complete understanding of the parties. This agreement shall be amended, modified or terminated only in writing upon approval by a majority vote of the municipal Board of each municipality.

Motion by: Councilman Bosman

Seconded by: Councilman Vann

Vote: Aye-Bosman, Aye- Hunt, Aye- Vann, Aye-Waid and Aye -Supervisor Reynolds. Adopted by the Town Board of the Town of Covert, March 12, 2012

**RESOLUTION #4-12  
TOWN OF COVERT  
RECORDS RETENTION POLICY**

**WHEREAS:** a resolution establishing a Records Retention Policy for the Town of Covert was approved in 1982; and

**WHEREAS:** an update and clarification of the provisions is in order,

**WHEREAS:** THE State of New York Education Department Records Retention and Depositions Schedule MU-1 provides the retention schedule for various records, and allows for legal disposition of official records, and

**WHEREAS:** the Record Management Officer (Town Clerk) will be reviewing and inventorying the records held in the Town's records storage area, and

**WHEREAS:** according to the New York State Archives Records Retention Disposition Schedule MU-1, the Records Management Officer (Town Clerk) will be marking obsolete records for disposal.

**BE IT FURTHER RESOLVED** that this resolution supersede all prior resolutions re: Town of Covert Records Retention Policies; and

**NOW, THEREFORE BE IT RESOLVED:** that the Town Board of the Town of Covert authorizes the Record Management Officer (Town Clerk) to hereby destroy any records marked for disposal in accordance with the guidelines set by the New York State Archives Records Retention Schedule.

Motion by: Councilman Bosman, Seconded by: Councilman Hunt

Vote: Ayes-Bosman Aye-Vann, Aye-Hunt, Aye-Reynolds, Aye-Waid

ADOPTED BY The Town Board of the Town of Covert, March 12, 2012.

Vann moved, seconded by Hunt, to hold a special meeting with Trumansburg Ambulance representative for Friday, March 16, 2012 at 5:00 p.m. Motion carried unanimously.

Hunt moved, seconded by Bosman, to seek proposal to build a shed roof to cover the fuel tanks and Highway Barn entranceway. Constructed of 4'x6' post, header boards, 2x6 rafters, painted steel, raked edge soffit and fascia, approximately 40 feet long. Motion carried unanimously.

Bosman moved, seconded by Vann, to approve the Justice Court Grant, of \$500.00 for Court equipment.  
Motion carried unanimously.

Waid moved, seconded by Bosman, that Highway Fund Vouchers #34-48, in the amount of \$ 33,671.92 and General Fund Vouchers #36-52, in the amount of \$ 13,695.93 be approved for payment.  
Motion carried unanimously.

Highway Superintendent, Jeffrey MacCheyne, filed his February 2012 written report with the Board.

Code Enforcement Office, John Poludniak, filed his February 2012 written reports with the Town Clerk.  
One permit for Paul and Maxine Flagg was referred to the Planning Board.

Supervisor Reynolds filed his revenue and expenditure report for February 2012.

Town Clerk, Colleen Freese filed her February 2012, report with the Supervisor. A total of \$274.00 was remitted.

Tax Collector, Colleen Freese reported that she has collected \$1,629,902.60 in paid taxes and there is \$282,020.93 in unpaid taxes to be collected.

On the motion of Waid, the meeting adjourned at 9:20 p.m.

Respectfully Submitted'

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Colleen R. Freese, Town Clerk

Michael Reynolds, Town Supervisor

**TOWN OF COVERT  
SPECIAL TOWN BOARD MEETING  
MARCH 16, 2012**

The Town Board of the Town of Covert held a Special Meeting Friday, March 16, 2012 at 5:00 p.m. at the Town of Covert Municipal Building, 8469 South Main Street, Interlaken, New York.

<b>Roll Call:</b> Supervisor Michael Reynolds	Present
Councilman Duane Waid	Present
Councilman Charles Bosman	Present
Councilman Gary Hunt	Present
Councilman Jeffery Vann	Present

Others Present: Attorney Patrick Morrell, Town Clerk, Colleen Freese,  
Deborah Nottke, EMS Commissioner of Trumansburg.  
Brian Snyder, EMS Manager  
Jason Fulton, Trumansburg Fire Chief, John Hubbard, Valerie Bassett and Donald Kenyon.

**Call to Order:**

Supervisor Reynolds called the meeting to order at 5:00 p.m.

The purpose of the Special Meeting was to discuss Trumansburg Ambulance providing coverage for the entire Town of Covert.

The insert below is from Deborah Nottke, question from Councilman Bosman. You have requested some questions which I have addresses some thoughts. You have requested some questions which I have - Enclosed some thoughts:

1. The current situation
  - a. Are the current residents of the south end of the town of Covert being served ?
  - b. Are the current residents having their insurance companies being charged ?
  - c. Are the current residents being charged for whatever co-pay which insurance company does not pay ?
  - d. Are the current residents being sent bill(s) for these fees? Is legal action for non-payment a possibility?
  - e. If the current residents are being billed, is that money being placed in the "Towns of Coverts account"? (monthly/quarterly/yearly?)
2. If we sign the contract with T-burg for only the southern half of the town (last years contract)
  - a. Will the insurance companies and the residents be billed?
  - b. When will the money be paid/credited to our account (monthly/quarterly/yearly)?
  - c. If we choose to not continue the contract after a given year, will that monies be available for the town board to use as it sees fit?
3. If we sign a contract with t-burg for the entire town of Covert including the village of Interlaken

a. We have been told that North Seneca Ambulance does not charge towns a fee over the insurance/co-pay - the reason we are told is because of the larger number of calls - Why does the estimate of calls appear to be a straight line projection, not considering the more calls, the less per call the cost should be?

Should there not be some reducing per call since equipment/manpower would be more efficiently used?

b. Will the insurance companies and the residents be billed?

c. When will the money be paid/credited to town of covert account (monthly/quarterly/yearly)?

d. If we choose to not continue the contract after a given year, will that monies be available for the town board to use as it sees fit?

e. if the entire town is covered under one contract, will we need an ambulance district.? Can we then take the fee out of general town revenue (taxes)?

f. Does South Seneca have any recourse to sue either the town of covert or t-burg ambulance due to loss of "Territory"?

4. If we do not sign a contract with either t-burg or South Seneca Ambulance (i.e. the town gets out of the ambulance business):

a. Who (state health?) is responsible for assigning territory to what organization?

b. Who is responsible for assigning ambulance calls (dispatch) to either ambulance organization?

c. What is either t-burg or south Seneca ambulance's legal responsibility? Can either organization refuse to answer calls unless their equipment is

busy - can they be forced in a lawsuit to prove their equipment was unavailable?

Just some general thoughts/questions I have - sure more will come up as the meeting progresses. Have a great day Chuck Bosman.

Deborah Nottke responds:

A quick review for your stats so far, then I will answer whatever questions I am able to.

I looked at the program inception through December 31, 2011. 90 claims have been submitted. 37 (41.1%) were billed BLS, 46 (51.1%) were billed ALS1, 1 (1.1%) was billed as ALS2. 83 of 90 have been billed at this point (still waiting for Medicaid to set-up electronic billing). It looks like you folks are going to be VERY Medicare dependent — 44 claims (48.9%) have Medicare as their 'Primary' insurance, and another 4 patients have Medicare 'Advantage' plans (Medicare replacements). So, your total Medicare population is at 53.3%! Medicaid is a little high (6 claims, 6.7%), but not too badly. It usually runs in the 3% - 5% range for the typical Client. Another issue I see as bringing your overall revenue down is the self-pay numbers. These patients have no insurance. You guys have 18 self-pay patients, or a full 20% of your workload. That is huge! It usually mimics the Medicaid percentages. Right now, your average return is only at \$150.46 for each call submitted. We still have a LOT of Medicare out there that has been submitted and not paid yet, so that number will go up! We have billed Medicare over \$43,000, and have only gotten \$1,379.67 back so far. I would hope you folks will see a couple of large deposits from Medicare very soon.

I will do my best to answer the questions that I am able to... Are the current residents having their insurance companies being charged?

b. Are the current residents being charged for whatever co-pay which insurance company does not pay?

c. Are the current residents being sent bill(s) for these fees? Is legal action for non-payment a possibility?

-At this moment, only Medicaid is not being billed, but it will be as soon as we receive permission to bill them electronically. By law, and amount of money not covered by insurance payment and not legally adjusted is being billed to the patient as a co-pay. Any patient who has had their claim denied by insurance is also being billed for the full amount of that claim. Currently, Trumansburg has not returned their Billing options sheet, so we are sending the max bills and holding the accounts until we get their sheet with their chosen path to follow. They can choose to A) end the process after 3 bills, B) send everyone owing any amount of money to Collections, or C) send only those patients that have kept a check sent to them by an insurance company to Collections.

2. If we sign the contract with T-burg for only the southern half of the town (last years contract) a. Will the insurance companies and the residents be billed?

-Yes, all insurance options will be exhausted, and then we will bill the patients for any amount not covered by insurance.

3. If we sign a contract with t-burg for the entire town of Covert including the village of Interlaken

a. We have been told that North Seneca Ambulance does not charge towns a fee over the insurance/co pay - the reason we are told is because of the larger number of calls - Why does the estimate of calls appear to be a straight line projection, not considering the more calls, the less per call the cost should be?

-The co-pay needs to be billed to meet Legal obligations. The Town can choose to use Tax dollars to cover the co-pays, or the patient can be billed directly.

b. Will the insurance companies and the residents be billed?

-As above, the answer is yes.

Brain Snyder the EMS Manager for Trumansburg, stated that at this time Covert is not billing. Should the Town of Covert elected to have Trumansburg provide ambulance coverage for the entire Town and elected to have billing. Then whatever is collected will come back to the Town of Covert.

Deborah Nottke said there is a committee called Intern Municipality. This committee consists of board members from each municipality. They meet and to discuss any problem or changes that may be needed.

John Hubbard stated one of the problems the Town of Covert Board had with South Seneca Ambulance Services is that they were billing forever calls to the insurance company. New York States law requires ambulance services to bill the co-pays. The reason is that they want the people to pay something. South Seneca Ambulance was billing the co-pay, putting the money in their funds, and not returning it to the municipalities. The town noticed that and said "no we have

a contract and you (SSAC) cannot double bill”.

Mr. Hubbard stated so now I am listening to you and the question comes, “the only bill you will bill is the insurance company?”

Brian Snyder responded yes they bill co-pays and deductibles. By law, you have to bill co-pays and deductibles.

Mr. Hubbard questioned “so you will still be billing co-pays and deductibles same as South Seneca Ambulance?”

Brian Snyder stated, by law we will bill co-pays and deductibles. The difference is Trumansburg will refund dollar for dollar the amount collected as required by law. There is no way to avoid billing the taxpayers. In rural areas, there is not enough revenue to cover the cost of ambulance service.

Waid stated that it seems like one of the questions tax payers have asked is what do we get for supporting an ambulance service? “You have answered by stating some off things you do at no charge, like standing by on school grounds for games, going out in the night to help someone who does not need to be transported, but needs help getting up, and you do not charge for these services.”

Jason Fulton stated the Village of Trumansburg is not in this to make money. The whole idea is to keep the ambulance service is for the communities.

Councilman Hunt stated the Town of Covert contacted the Village of Trumansburg about providing ambulance services for the entire Town of Covert.

After much discussion on having Trumansburg Ambulance covers the entire Town of Covert, Town Attorney Morrell suggested that the Board look at their budget and make sure have the funds to enter into this contract. How will this affect the 2% tax cap for next year’s Town Budget. We need an answer can this contract be prorated.

Hunt stated the estimated difference for ambulance service would be about \$8,000.00 for this year.

It was the consensus of the Town Board to have Trumansburg Ambulance to provide service for the entire Town of Covert.

Bosman moved, seconded by Hunt, that General Fund Voucher # 53 in the amount of \$7,415.00 be approved for payment. Motion carried unanimously.

Hunt moved to adjourn the meeting. Meeting adjourned at 7:00 p.m.  
Respectfully submitted, Colleen R. Freese, Town Clerk

**TOWN OF COVERT  
SPECIAL TOWN BOARD MEETING  
MARCH 23, 2012**

The Town Board of the Town of Covert held a Special Meeting Friday, March 23, 2012 at 12:00 at the Town of Covert Municipal Building, 8469 South Main Street, Interlaken, New York.

<b>Roll Call:</b> Supervisor Michael Reynolds	Present
Councilman Duane Waid	Present
Councilman Charles Bosman	Present
Councilman Gary Hunt	Absent
Councilman Jeffery Vann	Absent

Others Present: Town Clerk, Colleen Freese

**Call to Order:**

Supervisor Reynolds called the meeting to order at 12:00 p.m.

The purpose of the Special Meeting was to approve a resolution for ambulance coverage for the entire Town of Covert.

**RESOLUTION 5-12 THE TOWN OF COVERT:**

**Whereas,** Public Health Law Section 3008(7) permits a town to establish and operate an ambulance service; and

**Whereas,** the Town of Covert has determined that it is in the best interest of the town to establish and operate an ambulance service or contract for the operation of the ambulance service pursuant to General Municipal Law Section 122-b; and

**Whereas,** the Town Board has determined that all property, property owners and interested persons within the town will be benefited by the establishment and operation of an ambulance service;

**Whereas,** the Town board has determined that a need for such combined BLS and ALS service exists in the town, but outside of the fire protection district served by the Village of Trumansburg;

**It is hereby resolved that:** The Town of Covert, finding need for ambulance service in the Town of Covert, declare that the town establish and operate an ambulance service, or contract with the Village of Trumansburg for operation within the town's boundaries only; and it is further resolved, that

The area covered shall be all of the Town of Covert.

Such ambulance service shall be a basic and life support service; and

The Supervisor of the Town of Covert shall be empowered to take all steps necessary to obtain ambulance operating authority, including forwarding this resolution to the New York State Department of Health, Bureau of Emergency Medical Services.

This service shall take effect immediately upon approval by the SEMSCO.

This resolution has received the affirmative vote of at least a majority of the Board of the Town of Covert, as signed below and such resolution is hereby approved as amended to cover all of the Town of Covert.

Motion: Councilman Bosman  
Seconded: Councilman Waid  
Reynolds-Aye  
Motion carried.

Bosman moved, seconded by Waid, to adjourn the meeting at 12:15 Motion carried.

**TOWN OF COVERT  
SPECIAL TOWN BOARD MEETING  
MARCH 27, 2012**

The Town Board of the Town of Covert held a Special Meeting Tuesday, March 27, 2012 at 9:00 a.m. at the Town of Covert Municipal Building, 8469 South Main Street, Interlaken, New York.

<b>Roll Call:</b> Supervisor Michael Reynolds	Present
Councilman Duane Waid	Present
Councilman Charles Bosman	Present
Councilman Gary Hunt	Absent
Councilman Jeffery Vann	Absent

Others Present: Town Clerk, Colleen Freese

**Call to Order:**

Supervisor Reynolds called the meeting to order at 9:05 a.m.

The purpose of the Special Meeting was to approve the signing of the Trumansburg Ambulance agreement and pay the \$98,797.18. The \$25,522.72 that was encumbered in the 2011 budget for ambulance service is included in the payment for Trumansburg Ambulance to cover the entire Town of Covert. This will leave a balance of \$43,359.55 to be paid.

Bosman moved, seconded by Waid, to approve the payment and signing of the Trumansburg Ambulance agreement for 2012. Motion carried.

Ayes Supervisor Reynolds  
Aye Councilman Bosman  
Aye Councilman Waid

Waid moved, seconded by Bosman to adjourn the meeting at 9:25. Motion Carried

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Colleen Freese, Town Clerk

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Supervisor, Michael Reynolds

**TOWN OF COVERT  
TOWN BOARD MEETING  
APRIL 9, 2012**

The regular meeting of the Town Board of the Town of Covert was held Monday, April 9, 2012 at 7:00pm at the Town of Covert Municipal Building, 8469 South Main Street, Interlaken, New York.

<b>Roll Call:</b> Supervisor Michael Reynolds	Present
Councilman Gary Hunt	Present
Councilman Jeffrey Vann	Present
Councilman Charles Bosman	Present
Councilman Duane Waid	Present

**Others Present:** Town Clerk Colleen Freese, Highway Superintendent Jeffrey Mac Cheyne, Reporter Aneta Glover, Donald Kenyon, Dick & Betty Westbrook, Robert & Linda Schoffel, William & Diana Millard, Morgan Thompson

**Call to order:**

Supervisor Reynolds called the meeting to order at 7:00 p.m. All rose for the pledge of allegiance.

**Public Hearing:**

Supervisor Reynolds opened the first public hearing at 7:05.

The purpose of the first public hearing was for a variance request under Land Management Ordinances for Paul & Maxine Flagg, 8139 Interlaken Beach Road, to construct a new barn/storage building on the site of an existing barn 36'x36'. It does not meet the required property line set back of 20 ft.

Supervisor Reynolds closed first public hearing and open second public hearing at 7:10.

The purpose of the second public hearing was for a variance request under Land Management Ordinances for Morgan & Julie Thompson, 8411 Holton Beach Road, to remove the existing addition and replace it with a 20'x20' addition. It does not meet the required property line set back of 20 ft.

No one appeared for or against said variance requests. There was concern about the Thompson residence and that it couldn't be accessed in case of a fire. Mr. Schoffel stated that the Planning Board recommends approval of the variances.

Supervisor Reynolds closed the second public hearings and opened the regular meeting at 7:20.

**Approval of Minutes:**

Bosman moved, seconded by Waid, to approve the minutes from March 12, 2012 and, special meeting minutes from March 16, March 23 and March 27, 2012. Motion carried unanimously.

**Committees:**

Councilman Bosman stated that he would like a letter sent to thank the Seneca County Workforce Development, for providing the taxpayer assistance program, jobs and food stamp program to the south end of the county.

Councilman Vann stated that he would like to see the code of Ethics up dated; the one the Town approved was December of 1970.

Councilman Waid stated that the personnel committee is working on revising on the personnel policy and procedures for the Town.

Supervisor Reynolds shared that Cayuga Medical Center of Ithaca is holding their 31<sup>st</sup> Annual Meeting and we need a Board Member representative for the Town of Covert. Councilman Hunt recommended Councilman Vann and Councilman Waid agreed. Councilman Vann agreed to attend the Cayuga Medical Center Annual Meeting on April 25, 2012.

Supervisor Reynolds reported from the County Board meeting that right now they are proposing to tear down the old Sheriff House and build an addition for office space. The cost would be around 4.2 million dollars to tear it down and rebuild offices.

There was discussion on the Trumansburg Ambulance Service and having all calls billed for the Town of Covert. The Board asked Supervisor Reynolds to set up an inter-municipality meeting with Trumansburg to discuss billing all calls.

There was a lengthy discussion on the bids received for the overhang on the Highway Barn and that the two bids were using different material. Councilman Vann suggested that there should be a drawing done of the overhang for the contactors so they are bidding on the same spec. In addition, he questioned DEC regulation for fuel tank storage.

Superintendent MacCheyne replied DEC has no requirement on where fuel tanks are to be stored, as long as the tanks are registered, that meets DEC requirements. MacCheyne also looked into town and village requirements and they referred him to the county. At this time, "I am waiting to hear back from the county and what requirements, if any they have for fuel tanks".

The decision at this time was to put the overhang project for the highway barns on hold and get further information on requirements for fuel tank storage. In addition, a drawing with the specs will be provided to the contractors for bidding.

Waid moved, Seconded by Vann, to approve the variance request under Land Management Ordinance for Paul & Maxine Flagg, 8139 Interlaken Beach Rd, to construct a new barn/storage building on the existing site a 36' x 36' building. Motion carried.

Hunt moved, seconded by Vann, to approve the variance request under Land Management Ordinances for Morgan & Julie Thompson, 8411 Holton Beach Road, to remove the existing addition and replace it with a 20'x20' addition. Motion carried.

Hunt moved, seconded by Bosman, that Highway Fund Vouchers #49-62, in the amount of \$ 21,595.18 and General Fund Vouchers #55-72, in the amount of \$46,061.21 be approved

Highway Superintendent, Jeffrey MacCheyne, filed his March 2012 written report with the Board.

Code Enforcement Office, John Poludniak, filed his March 2012 written reports with the Town Board.

Supervisor Reynolds filed his revenue and expenditure report for March 2012.

Town Clerk, Colleen Freese filed her March 2012, report with the Supervisor. A total of \$271.06 was remitted.

Tax Collector, Colleen Freese reported that she collected \$1,721,621.54 in paid taxes and there are \$192,106.57 in unpaid taxes.

On the motion of Waid, the meeting adjourned at 9:10 p.m.

Respectfully Submitted,

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Colleen Freese, Town Clerk

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Supervisor, Michael G. Reynolds

**TOWN OF COVERT  
REGULAR TOWN BOARD MEETING  
MAY 14, 2012**

The regular meeting of the Town Board of the Town of Covert was held Monday, May 14, 2012 at 7:00 pm at the Town of Covert Municipal Building, 8469 South Main Street, Interlaken, New York.

<b>Roll Call:</b> Supervisor Michael Reynolds	Present
Councilman Gary Hunt	Present
Councilman Jeffrey Vann	Present
Councilman Charles Bosman	Present
Councilman Duane Waid	Present

**Others Present:** Attorney Patrick Morrell, Deputy Town Clerk Leslie Adams-Compton, Highway Superintendent Jeffrey MacCheyne, Reporter Aneta Glover, Valerie Bassett, Donald Kenyon, Dick Westbrook, Ralph Bailey, Robert & Linda Schoffel, and William & Diana Millard.

**Call to order:**

Supervisor Reynolds called the meeting to order at 7:00 p.m. All rose for the pledge of allegiance.

**Approval of Minutes:**

Vann moved, seconded by Hunt, to approve the minutes from April 9, 2012. Motion carried unanimously.

**Petitioner to Board:**

Donald Kenyon questioned the new resolution regarding the ambulance service to the Town of Covert and that details regarding financial terms of the agreement were absent, incomplete or not defined in minutes of the meetings of 3/23 or 3/27. He believes the financial terms should be "accurate, complete and incorporated" in the resolution, but the way it is written is "not understandable and business-like."

Insert as requested by Donald Kenyon below:

I have been trying to follow this Trumansburg Ambulance matter from the March 23 meeting through the agenda for tonight's meeting and cannot follow it, or understand what is really going on.

When I ask others, including Ambulance Chairman Vann, it seems no one has a clear and coherent picture. I used to be able to understand minutes and resolutions so I don't think the problem lies entirely with my ability to understand. I believe the communication is deficient.

For examples:

\*On March 23 the Town resolved to contract with Trumansburg but there are no contract details to speak of in the resolution.

\*On March 27 the motion was "to approve the payment and signing of the Trumansburg Ambulance agreement for 2012". Where is the agreement referred to in this resolution? It should be included within the resolution. And what exactly are the financial terms and conditions? They should also be included in the resolution. There is some financial information included in the minutes for that meeting but it is incomplete and not understandable and not included in the resolution. It should be accurate, complete and incorporated in the resolution. The numbers in the minutes do not add up.

\*The agenda for tonight includes 4 Trumansburg Ambulance items, all of which are notated differently,

although I believe 2 of each are supposed to be paired. It is not at all clear to me, nor apparently the Chairman of the Ambulance Committee, what is going on here.

Please stand back and review your own writing and ask yourself if what you're presenting is understandable and business like. It is neither of those to me. Imagine someone in the future picking up the minutes and trying to understand the details of what Covert did. They wouldn't know, and yet the whole purpose of minutes and resolutions is to insure that they would know. I am hopeful you will take this constructively and prevent it from happening in the future reports:

**Highway Superintendent:**

Highway Superintendent MacCheyne presented his April monthly report and reported that the one vehicle had issues with its wheels. The DEC inspected and approved the new gas and diesel fuel tanks at the Highway barn. The old tanks have been removed.

MacCheyne reported that the highway department has been attending trainings on Mondays. They learned of the latest "fad" in drug use and the handling of closed bottles found on roadsides that may have been used for this purpose because they may be explosive.

Bosman questioned whether it was possible to transfer monies in the "snowplowing" fund to "equipment" within the Highway budget. Vann wondered if it could be moved into a reserve fund. Attorney Morrell said "yes", it is okay to have a generalized Highway equipment fund or a reserve fund for a few years. The issue will be discussed further in August or September.

**Attorney Morrell:**

Attorney Morrell mentioned a drainage issue with a resident on Congress Street. No record had been found to date that gave resident permission to install a pipe. If no record were found, Morrell says it may be within the Town's right of way and therefore the Town's responsibility to locate and clear blockage. MacCheyne said he could locate a camera in the County for viewing into the drainpipe.

Vann expressed concern over the Land Management Ordinance and that it is difficult for the average resident to decipher. The Ordinance is a composite of many resolutions that need to be consolidated and "cleaned up". Robert Schoffel suggested that a "Welcome to the Town" cover be given to new residents containing the Ordinance. Morrell suggested that this ordinance be given to local "realtors, contractors, attorneys" so they may be informed, and also, that an ad be placed in the local papers yearly. It was suggested that it be included with the mailing of tax bills. Vann questioned Morrell on how to legally clarify the Ordinance. Morrell stated that a cover sheet with a simplified version would be alright, but to consolidate the Ordinance, it would have to be done verbatim. Also, if the ordinance itself were to be changed, it would depend on how the separate parts of it were approved, by public hearing or as local law. He pointed out that the summary suggested would not replace the written ordinance; it would be a "guidance document". Morrell said he will have to look into this further to see whether it is a simple matter of "cut and paste" to produce the more readable version.

**Committees:**

Councilman Bosman said he had about an hour-long meeting with Seneca County Manager Mitch Rowe. The Volunteer Income Tax Assistance Program had expanded to the south end of the county this year and eighty-eight taxes were prepared in the south end, with 430 taxes prepared for the whole county. The taxpayer in the south end saved \$11,000 in prep fees and over 4,400 miles that was another \$200.00 in saving.

Bosman also had discussion with Rowe regarding the Seneca County Transportation. The bus now swings into Conifer Village as agreed upon and they hope to coordinate with T-CAT schedules and possibly offer bus transfer permits in the future.

Bosman reported on the Town of Covert Court. The situation seems to be improving, as eight speeding cases were issued in March compared to the twenty issued in April. Bosman pointed out that although the situation is better, there is little chance that the budgeted amount for revenue from the state of \$20,000 will be reached and that this should be taken into consideration.

Councilman Vann would like to see a report of the Assessor's budget showing yearly actual budget lines next to actual expenses for each line and not just a total expense for all at the bottom line as it is now.

Vann reported on his attendance to the Cayuga Medical Center banquet to elect the new directors. He commented that they congratulated themselves on being "25 years in the black" and also for being the only hospital in New York State to offer training and service for treating sports injuries.

Councilman Waid said that he and Bosman are revising the personnel handbook a little bit at a time. Vann asked if anyone thought of revising the Code of Ethics law. Waid and Bosman said they are working on "modernizing" it.

Supervisor Reynolds stated that there will be a Memorial Day ceremony at Lake View Cemetery, but no parade.

Reynolds said they are looking into other carriers of health insurance. Trumansburg supposedly has a "great deal". He has communicated with Trumansburg and they will be providing him with the details. Another insurance agent has contacted him with a good deal. He had also heard that MVP had a better deal for the consumer.

Supervisor Reynolds presented a poster for an upcoming bluegrass festival on Booth Road on June 28-30. The neighbors have been complaining. Reynolds contacted County Code Enforcement Officer Chad Haviland who has spoken with them on all they will need to do to be within code. MacCheyne will plan on putting up "no parking" signs along the road as the law states that the lane of travel may not be obstructed.

Donald Kenyon again expressed concern that the cost of the EMS was not laid out in the Resolution. Morrell recommended the Resolution be passed so the state can issue the Certificate of Need. The resolution is designed so that the Town may enter into an agreement that has the stated terms as spelled out in the minutes. He suggested that having more than that would be "clutter". Valerie Bassett stated that the \$98,000 total due for additional EMS service less \$25,000 encumbered and the end figure did not add up as included in minutes of 3/16, 3/23, 3/27. Morrell said that the minutes are resolute.

Supervisor Reynolds stated that they have some bids for the cover on the fuel tank, but he recommended that they wait on the cover until next year, as that would put them over-budget by about \$2,500. MacCheyne said that the County approved the tanks as they are now, although it still needs the engineer stamp. He said he would have to continue to hand-pump the water from the tank once-a-month. Concern was expressed over Griffith's multiple fillings/invoices and that they always received the "bottom of the barrel". MacCheyne did not believe that was cause for the water in the fuel.

There was some discussion on the Libraries and loss of funding. They are hopeful that this would be made up in

school tax bills and outside donors.

Attorney Morrell reported on Code Enforcement. No issue was found with a 200' private road belonging to Bobby Bowers.

Robert Schoffel inquired as to how building permits influence assessments. Bosman said he thought the Assessor received permits monthly from the Clerk. Morrell said that March 1<sup>st</sup> is the "cut-off" for assessments.

**Actions:**

**6-12 RESOLUTION OF THE TOWN OF COVERT**

**Whereas**, Public Health Law Section 3008(7) permits a town to establish and operate an ambulance service; and

**Whereas**, the Town of Covert has determined that it is in the best interest of the town to establish and operate an ambulance service or contract for the operation of the ambulance service pursuant to General Municipal Law Section 122-b; and

**Whereas**, the Town Board has determined that all property, property owners and interested persons within the town will be benefited by the establishment and operation of an ambulance service;

**Whereas**, the Town board has determined that a need for such combined BLS and ALS service exists in the town, but outside of the fire protection district served by the Village of Trumansburg;

**It is hereby resolved that:**

The Town of Covert, finding need for ambulance service in the Town of Covert, declare that the town establish and operate an ambulance service, or contract with the Village of Trumansburg for operation within the town's boundaries but only outside the Fire Protection District of the Towns of Ulysses, Hector and Covert, as shown on the attached map; and it is further resolved, that

The boundaries shall be all the parts of the town outside of the Trumansburg Fire Protection District; Such ambulance service shall be a basic and advanced life support service; and

The Supervisor of the Town of Covert shall be empowered to take all steps necessary to obtain ambulance operating authority, including forwarding this resolution to the New York State Department of Health, Bureau of Emergency Medical Services.

This service shall take effect immediately upon approval by the SEMSCO or state.

This resolution has received the affirmative vote of at least a majority of the Board of the Town of Covert, as signed below and such resolution is hereby approved.

Bosman moved, seconded by Vann, that the Resolution for the operating or contracting of ambulance service within the Town of Covert, but outside of the fire protection district served by the Village of Trumansburg, be approved. Aye-Reynolds, Aye-Bosman, Aye-Hunt, Aye-Waid and Aye-Vann.

Bosman moved, seconded by Hunt, that the Interlaken Library contract be approved. Motion carried unanimously.

Hunt moved, seconded by Vann, that the Interlaken Historical Society contract be approved. Motion carried unanimously.

Waid moved, seconded by Vann, that the Beverly Animal Shelter contract be approved. Motion carried unanimously.

Bosman moved, seconded by Hunt, that the Americana Vineyards & Winery NYS Liquor License be approved. Motion carried unanimously.

Hunt moved, seconded by Waid, that Highway Fund Vouchers #62-75, in the amount of \$18,459.42 and General Fund Vouchers #75-95, in the amount of \$21,432.55 be approved for payment. Motion carried unanimously.

Highway Superintendent, Jeffrey MacCheyne, filed his April 2012 written report with the Board.

Code Enforcement Office, John Poludniak, filed his April 2012 written reports with the Town Clerk.

Supervisor Reynolds filed his revenue and expenditure report for April 2012.

Town Clerk, Colleen Freese filed her April 2012, report with the Supervisor. A total of \$284.03 was remitted.

On the motion of Waid, the meeting adjourned at 9:00 p.m.

Respectfully Submitted

Leslie Addams-Compton, Deputy Town Clerk

Michael Reynolds, Town Supervisor

**TOWN OF COVERT  
REGULAR TOWN BOARD MEETING  
JUNE 11, 2012**

Regular meeting of the Town Board of the Town of Covert was held Monday, June 11, 2012 at 7:00 pm at the Town of Covert Municipal Building, 8469 South Main Street, Interlaken, New York.

<b>Roll Call:</b>	Supervisor Michael Reynolds	Present
	Councilman Gary Hunt	Present
	Councilman Charles Bosman	Present
	Councilman Jeffery Vann	Present
	Councilman Duane Waid	Present

**Others Present:** Town Clerk, Colleen Freese  
Highway Superintendent, Jeffrey Mac Cheyne  
Town Attorney Patrick Morrell, Reporter Aneta Glover,  
Wilfred & Diana Millard, Charles Bosman, Ralph Bailey, Richard Westbrook,  
Robert & Linda Schoffel, Kate Hunt, Paul Flagg, Keith Jay, Robert Wegner,  
Joan Hendrix, Karel Titus and Valerie Bassett.

**Call to Order:**

Supervisor Reynolds called the meeting to order at 7:00 p.m. All rose for the pledge of allegiance.

**Approval of Minutes:**

Vann moved, seconded by Hunt, that the May 14, 2012, minutes be approved. Motion carried unanimously.

**Petitioners to the Board:**

Robert Wegner addressed the Town Board about the Blue Grass Festival that is taking place on Booth Road, June 28-30. He is concerned about parking, noise levels, do they have the required permits for this event and where they are going to park.

Supervisor Reynolds stated that they have been in contact with Seneca County Code Enforcement Officer Chad Haviland. He is working on the situation to make sure they have the required permits. The Board cannot stop this event from happening, the county has been notified, "no parking" signs will be posted on the road.

Attorney Morrell stated the county is in a better position to take lead on the Blue Grass Festival event. The Town Board is not responsible for everything. We have a sheriff department, New York State Vehicle Traffic Law, health department. If you see problems, call the sheriff department.

For public records on file at Town Clerk's Office is a letter read by Valerie Bassett.

**Highway Superintendent:**

Highway Superintendent Mac Cheyne reported that the New York State Bridge Inspector contacted him and they have red flagged the Frontenac Bridge. We have six weeks to repair the bridge or close it. This shifts our road repairs around for the summer. We need to address South Frontenac Road and make it a year round road. MacCheyne stated we are still currently on the list for a grant to replace this bridge as far as he knows. At this time, our backup plan is fixing South Frontenac Road.

Councilman Bosman reported that Habitat for Humanity has been building houses in the County and each year they alternate between the North and South end of the county to build a house. In 2013, it should be the South end's turn to have a house built and they are looking for a lot to build on or a house to rebuild.

Councilman Vann suggested that the town board should have a scope of services procedure in place to follow for jobs that come up for bid. After a lengthy discussion on the matter, Attorney Morrell suggested that he could draw up the legal framework and then present it to the board for review. The board can decide then what else they may want to include in the policy.

Supervisor Reynolds discussed some meeting guideline that he would like the board to consider passing for the board meetings. The board members requested some changes be made before passing the guidelines.

There was discussion on the Memorandum of Understanding, the purpose of which is to establish mutually beneficial procedures whereby some items listed in the New York State General Municipal Law section 239, to be reviewed by the County Planning Board, may be acted on by the Local Board of Jurisdiction without being reviewed by Seneca County Planning Board. Robert Schoffel from the town planning board stated this is a good idea.

Councilman Waid reported the usage of the Seneca Libraries is up and the programs offered are very successful. The computer system connects to 33 libraries, mostly in rural, isolated areas so patrons can have access to more books and materials from the different libraries. Many homes do not have high-speed internet, which is necessary to apply for jobs and do homework. Joan Hendrix, from Interlaken Library and Karel Titus, from Lodi Library both shared that the usages of libraries is up and that book circulations have increased. Many people come in to do job application on line, students to do homework because they do not have home computers or high-speed internet at home. Councilman Vann gave some facts about the libraries and stated he supports the libraries. However, he feels the county is doing their job by making budget cuts.

RESOLUTION -6-12  
Memorandum of Understanding

This Memorandum of Understanding is made between The County of Seneca whose offices are located at One DiPronio Drive, Waterloo, NY 13165 ( and hereafter referred to as the County) and the Board of the of Town of Covert whose offices are located at 8469 South Main Street Interlaken, NY 14847 and hereafter known as the Town of Covert, Town Board

The purpose of this Memorandum of Understanding is to establish mutually beneficial procedures whereby some items listed in the New York State General Municipal Law (GML) section 239, to be reviewed by the County Planning Board may be acted on by the Local Board of jurisdiction without review by the Seneca County Planning Board.

The County Planning Board, by study of its past actions and of potential development, has determined that the following categories of action have negligible possibility for inter-community or countywide impacts.

Granting a Special or Conditional Use Permit for the construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density.

Granting of Individual Setback, Lot Line Variances, or Area Variance(s) for a single-family, two-family or three-family residence; or for structures accessory to single-family homes including as listed above.

Lot Line Adjustment Subdivision: Transfer of less than 1/4 of an acre of property, or strip of property less than 20' wide to the adjacent land owner as long as the transferring lot is not and will not become non-conforming under current lot size requirements, and meets the setback requirements of the Local Zoning, and the New York State Uniform Fire Prevention and Building Code, whichever is stricter.

Minor Subdivision which contains a maximum of four (4) lots and is defined by the local municipality as a "minor subdivision", does not front on a State or County Road, is not within 500' of a County Facility, and does not call for the development of any land that has been in agricultural production in the last two (2) years and any existing buildings will meet the setback requirements of the Local Zoning, and the New York State Uniform Fire Prevention and Building Code, whichever

is more strict.

Minor Subdivisions where the individual lots to be created meet all size requirements of the municipality and are not adjacent or are separated by municipal roads

Special Permit/Permits for Signs that meet the criteria of the Local Zoning regulations and/or sign regulations, and that do not require a variance.

Special Permits or Area Variances for signs located more than 500' from a State or County Road or Facility.

Administrative Zoning Text Amendments which do not change the uses allowed within a portion or all of the Town/Village, whether these uses require a Special Permit Review, and does not change any setback requirements. This is intended to cover changes in application fees, titles of Town Enforcement Officers, and review time frames that correspond to State law.

Site Plan Reviews of Commercial/Business development that meet all of the following: a) Less than three (3) acres of land to be developed, b) Less than one (1) acre to be taken out of agricultural production, in a State approved agricultural district, c) Less than five (5) employees and d) Does not have frontage on, or is greater than 500' from a State or County Road.

Special Permits for co-location of an additional antenna on an existing cell or radio tower.

Special Permits or Site Plan Review for small home based businesses that will generate less than four (4) roundtrips per day and make no exterior changes to the property, except signs as permitted in the community.

Site Plan Review of Single Family Residential uses.

(It is also noted that by State law the following do not require review, interpreting an existing code, rule or regulation, or adoption of a moratorium on land development or construction.)

The Local Board agrees to submit all other items as listed in Sections 239 I, m & n of the New York State General Municipal Law by the close of business, of the Seneca County Department of Planning and Community Development, at least one (1) week before the regularly scheduled County Planning Board meeting, and agrees that any item filed after that date has 42 days to be reviewed by the County Planning Board.

The County Planning Board will review actions which fall under this Memorandum of Understanding upon request from the Chairman of the Board has jurisdiction.

The County Planning Board will once a year provide the Clerk or Chairman of the Local Board with a listing of regularly scheduled meetings.

These procedures shall become effective ten (10) days after the authorized representatives of both parties have signed this document. It shall be in effect until: one (1) month after either party notifies the other that they will no longer be participating, one (1) of the parties is dissolved, or both parties agree to a modification.

Motion: Councilman Bosman

Seconded by Councilman Vann

Waid-aye, Hunt-Aye, Bosman-Aye, Vann-Aye and Reynolds -Aye. Motion carried.

Resolution 7-12

Where as: The local library systems are a vital part of our communities

Where as: The funding of the local community libraries has historically been a shared service between the county, town, village and schools. And

Where as: Local libraries serve a vital function in the community serving all populations and functions including books, movies, magazines, computer services and historical services.

Where as: Local costs are rising as cost for all services including heat, light and computer equipment and services.

Where as: The majority of funds from county sources are used for inter-library loan services. These services enhance the mission of the libraries by giving them access to a vast number of publications at a low cost.

Therefore: The Town Board of the Town of Covert calls on the County of Seneca to continue funding library services in the 2013 budget at or above the level of the 2012 budget.

Motion by councilman Bosman, Seconded by Hunt,

Councilman Bosman-Aye, Councilman Hunt-Aye Councilman Waid-Aye

Councilman Vann-Nay and Supervisor Reynolds-Aye. Motion carried.

Adopted June 11, 2012

Bosman moved, seconded by Waid, to approve Americana Vineyards Firework permit for June 30, 2012. Motion carried unanimously.

Bosman moved, seconded by Hunt, that Highway Fund Vouchers #76-# 89, in the amount of \$ 16,316.48 and General Fund Vouchers #96-#109, in the amount of \$ 17,243.13 be approved for payment. Motion carried unanimously.

Bosman moved seconded by Hunt to enter into excusive session at 9:20 p.m. to discuss the work history of an employee. Motion carried unanimously.

Hunt moved, seconded by Bosman, to come out of excusive section and return to regular meeting at 9:40. Motion carried unanimously.

Highway Superintendent, Jeffrey MacCheyne, filed his May 2012 written report with Board Members.

Supervisor Reynolds filed his revenue and expenditure report for May 2012.

Town Clerk Freese filed her May 2012 report with the Supervisor. A total of \$229.60 was remitted.

On the motion of Vann, the meeting was adjourned at 9:43p.m.

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Town Supervisor, Michael G. Reynolds

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Town Clerk, Colleen R. Freese

**TOWN OF COVERT  
SPECIAL TOWN BOARD MEETING  
JUNE 28, 2012**

The Town Board of the Town of Covert held a Special Meeting Thursday, June 28, 2012 at 6:00 p.m. at the Town of Covert Municipal Building, 8469 South Main Street, Interlaken, New York.

<b>Roll Call:</b> Supervisor Michael Reynolds	Present
Councilman Duane Waid	Present
Councilman Charles Bosman	Present
Councilman Gary Hunt	Absent
Councilman Jeffery Vann	Present

Others Present: Highway Superintendent Jeffery MacCheyne, Town Clerk Colleen Freese, and reported Aneta Glover.

**Call to Order:**

Supervisor Reynolds called the meeting to order at 6:00 p.m.

The purpose of the Special Meeting was to discuss the cost of repairing North Frontenac Bridge; the bridge has been red flagged by the state. If bridge repairs are not completed the state will close the bridge July 24, 2012.

Highway Superintendent MacCheyne reported he met with Jerry Wilbur from Chemung Supply and Thomas Hager, a retired engineer from Stuben County who is a self-employed engineer. They discussed the areas on the North Frontenac Bridge that have been red flagged by the state and options for repairing them. They figured it would cost around \$7,000.00 to repair the bridge.

Councilman Vann asked how we could be sure that once the engineer stamps the bridge, the state will not require other repaired before they approve the bridge.

Superintendent Mac Cheyne stated he asked the engineer how we know for sure that once these repairs are completed, the state will be satisfied. Mr. Hager stated that once he approves the repairs and certifies the bridge, it overrides the state.

Vann moved, seconded by Waid, to approve the Highway Department to repair North Frontenac Bridge and to use the \$4,236.68 from account DA512220.4 Bridge Repairs, at the year-end meeting the remaining balance will be transfer from Highway Funds. Aye- Bosman, Aye- Reynolds, Aye -Vann, Aye Waid. Motion carried.

Bosman moved, seconded by Waid, to adjourn the meeting at 6:45. Motion carried.

Respectfully submitted, Colleen R. Freese, Town Clerk

**TOWN OF COVERT  
REGULAR TOWN BOARD MEETING  
JULY 09, 2012**

Regular meeting of the Town Board of the Town of Covert was held Monday, July 9, 2012 at 7:00 pm at the Town of Covert Municipal Building, 8469 South Main Street, Interlaken, New York.

<b>Roll Call:</b>	Supervisor Michael Reynolds	Present
	Councilman Gary Hunt	Present
	Councilman Charles Bosman	Present
	Councilman Jeffery Vann	Present
	Councilman Duane Waid	Present

**Others Present:** Town Clerk, Colleen Freese, Highway Superintendent, Jeffrey MacCheyne, Town Attorney Patrick Morrell, Reporter Aneta Glover, Wilfred & Diana Millard, Ralph Bailey, Richard Westbrook, Robert & Linda Schoffel, Cathleen Hunt, Keith Jay, Janet Diehl, John Swanson III, Brayton Foster, Valerie Bassett, Don Kenyon, Tammy Reynolds, Larry Abraham and Ken Erskine, Judy & Harold Kugelmass.

**Call to Order:**

Supervisor Reynolds called the meeting to order at 7:00 p.m. All rose for the pledge of allegiance.

**Approval of Minutes:**

Hunt moved, seconded by Waid, that the June 11, 2012 and June 28, 2012 Special Meetings' minutes be approved. Motion carried unanimously.

**Petitioners to the Board:**

Larry Abraham from Colonial Paul Revere Life Insurance Company shared that health insurance policies need to be reviewed on a yearly basis, in order to ensure the best coverage is being provided. With Colonial Insurance you receive a consult company, benefits communications and enrollment services to assist your needs. If the Town decides to go with Colonial Health Insurance for 2013 there would be a \$12,500.00 dollar saving to the Town budget.

Judy Kugelmass asked the board what one does to get a real petition with signatures of registered voters that are concerned about Hydro-Fracking? "My main concern is the water source; "I want my children and grandchildren to enjoy the water and the land."

Attorney Morrell asked Mrs. Kugelmass what she was trying to accomplish; "I would like to see hydraulic fracturing banned from Town of Covert and that may not be what everyone else wants. Or a moratorium put in place on Hydro-Fracking until science proves what the potential danger is or isn't". Attorney Morrell answered that there is no formal petition process in order to bring a petition to the board. The Town Board Members stated there have been many meetings in the area that have covered different facts on Hydro-Fracking. Brayton Foster stated Hydro-Fracking has been going on for one-hundred and fifty years, there are some mistakes made, as in anything, but we need to put some perspective on what it will or will not do to the environment. He stated we should leave it up to New York State Department of Environmental Conservation.

For public record on file at the Town Clerks Office, is a letter read by Cathleen Hunt.

Highway Superintendent Mac Cheyne reported that the North Frontenac Bridge repairs would be finished before July 25, 2012. The Bridge will be closed temporarily for a couple days to do repairs. Once the bridge repairs are finished, the engineer will certify the bridge as required by New York State and the bridge will remain open.

For public record, on file at the Town Clerks Office, is a letter read by Councilman Bosman.

Councilman Hunt reported that he took a tour of the North Frontenac Bridge and he said that Highway Superintendent Mac Cheyne has a good plan for repairing the Bridge. He also would like to see "Right to Farm" signs made and the "Town of Covert" signs need replacing.

Supervisor Reynolds reported that the Health Department called to report that Trumansburg Ambulance Service needs to be inspected and the certificate of need should be issued in July.

Councilman Waid reported that Councilman Bosman and he have been working on updating the Personnel Policy and Procedures handbook for Town of Covert. At this time, they would like to have a workshop to review the handbook and make any changes needed.

There will be a Personnel Policy and Procedures Handbook Workshop July 17, 2012 at 7:00 p.m.

Councilman Vann reported that he had attended the Hunts Water meeting and they have set dates for other meetings. He would like to see at least two people attend these meetings.

Councilman Bosman also shared that Seneca County Department of Workforce Development and Youth Bureau in partnership with the United Way of Seneca County recently completed a very successful ninth season as a certified IRS Volunteer Income Tax Assistance (VITA) site.

Vann moved, seconded by Hunt, that Highway Fund Vouchers #90-101, in the amount of \$14,624.22 and General Fund Vouchers #110-122, in the amount of \$ 17,263.42 be approved for payment. Motion carried unanimously.

Highway Superintendent, Jeffrey MacCheyne, filed his June 2012 written report with Board Members.

Supervisor Reynolds filed his revenue and expenditure report for June 2012.

Town Clerk Freese filed her June 2012 report with the Supervisor. A total of \$473.30 was remitted.

On the motion of Vann, the meeting adjourned at 8:50 p.m.

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Town Supervisor, Michael G. Reynolds

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Town Clerk, Colleen R. Freese

## REGULAR TOWN BOARD MEETING AUGUST 13, 2012

Regular meeting of the Town Board of the Town of Covert was held Monday, August 13, 2012 at 7:00 pm at the Town of Covert Municipal Building, 8469 South Main Street, Interlaken, New York.

<b>Roll Call:</b> Supervisor Michael Reynolds	Present
Councilman Gary Hunt	Present
Councilman Charles Bosman	Present
Councilman Jeffery Vann	Present
Councilman Duane Waid	Present

**Others Present:** Highway Superintendent, Jeffery Mac Cheyne, Town Clerk, Colleen Freese, Town Attorney Patrick Morrell, Reporter Aneta Glover, Ralph Bailey, Richard Westbrook, Donald Kenyon, Nick Scott, Mitch Perry, Phil Standard.

### **Call to Order:**

Supervisor Reynolds called the meeting to order at 7:00 p.m. All rose for the pledge of allegiance.

### **Approval of Minutes:**

Hunt moved, seconded by Vann, that the July 9, 2012, minutes be approved. Motion carried unanimously.

The Town Board received three sealed bids for the 2013 Lawn Maintenance Contract. The first bid was from Jamie Morgan (Mr. Outside) for \$2,760.00. The second bid was from Philip Stannard for \$4,500.00 and the third bid from Nicholas Scott and Mitch Perry of Lasting Impression Property Services for \$2,886.00.

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

Don Kenyon shared that Seneca County has the ninth highest property taxes as a percent of home values, compared to all counties in the U.S. This includes all property taxes in the county such as village, schools and towns. "He said, we are a small rural county and we have the ninth highest in property taxes". He asks the Board and the Town Supervisor to consider this information on taxes and to consider a public meeting to discuss taxes. He also asked that the Supervisor would include an outline of what the goals and objectives are for 2013 budget.

Supervisor Reynolds reported that New York State will spend over fifty two billion dollars this year on Medicaid. That is one reason our taxes are so high. Mr. Kenyon stated, "are you aware that New York State is the only state that passes Medicaid cost down to the county level"?

Councilman Vann concurred with Mr. Kenyon's remarks indicating if you took the Seneca County sixty million dollar budget and divided by the 35,251 population count that equal \$1,700.00 spent per each person even before all other property taxes are put on the top of that meaning it would most likely double. Too much government for too few folks.

### **Highway Superintendent:**

Highway Superintendent Mac Cheyne reported that the North Frontenac Road Bridge repairs are completed and the red flags removed. Once the letter is received from the engineer the state will not be back to inspect the bridge for two years.

Councilman Bosman shared that some Planning Board Members do not have the required four-hour training a year or eight hours every other year as required. There is training available in September and October, as well as on online training available. He requested that all Planning Board Members be notified of the upcoming training.

Town Clerk reported Lucas Vineyard is renewing their Farm Winery License with New York State Liquor Authority.

There was a lengthy discussion on the Assessor Budget, that the budget should show line items and the amount spent on each line item for the year and the budgeted amount for the next year.

Councilman Vann reported that he went to the water meeting for the Hunt Water Survey and they are still gathering information on the project. Attorney Morrell stated that at this time the study is to raise the possibility of a working water system.

There was much discussion on the Personnel Policy and Procedures of the Trumansburg Ambulance Service. Supervisor Reynolds explained that each town is under a different area and the requirements are different for each town. The Town of Covert is under Rochester.

Councilman Waid shared they had a workshop for the Town of Covert Personnel Policy and Procedure and we are ready to move forward and adopt the amended Personnel Policy and Procedure Handbook.

Councilman Vann stated that if the personal use of town computers is not removed from the Personnel Policy and Procedure, he would vote against the Personnel Policy and Procedure. He feels there should be no personal use of Town Computers even during lunch break.

There will be a Budget workshop on Monday, August 27, 2012 at 6:00 PM at the Municipal Building.

#### **RESOLUTION 8-12**

Waid moved, seconded by Hunt, that the Town Board of The Town of Covert does hereby adopt the Town of Covert's newly revised Personnel Policy and Procedures. (See attached). Aye- Reynolds, Aye –Hunt, Aye-Waid, Aye-Bosman and Nay- Vann. Motion Carried

Bosman moved, seconded by Waid, to refer variance request application #17-12 for Richard Heptig 9492 Kingtown Road, Trumansburg to replace an old garage with a 36'x36' new garage and variance request application #18-12 for Christopher Reuning 8623 Green Lane Shore, Trumansburg to build a 22.5'x44.5' covered porch be referred Planning Board. A public hearing will be held at the Municipal Building, September 10, 2012 at 7:00 p.m. Motion carried unanimously.

Hunt moved, seconded by Vann, to accept Jamie Morgan bid for \$2,700.00 for the lawn maintenances contract for the budget year of 2013, for the following properties, Town of Covert Municipal Building, 8469 Main Street, Old Covert Town Hall, 9273 Street Route 96 and Covert Cemetery, 9219 County Road 144 A. Motion carried unanimously.

Hunt moved, seconded by Vann, to support the Trumansburg Ambulance Policy and Procedures as presented to the Town Board. Motion carried unanimously.

Bosman moved, seconded by Hunt, that Highway Fund Vouchers #102-113, in the amount of \$ 16,320.03 and General Fund Vouchers #123-143, in the amount of \$ 17,467.71 be approved for payment. Motion carried unanimously.

Highway Superintendent, Jeffrey MacCheyne, filed his July 2012 written report with Board Members.

Justice Shaw filed a written budget request and an update Court report with the Board Members.

Supervisor Reynolds filed his revenue and expenditure report for July 2012.

Town Clerk Freese filed her July 2012 report with the Supervisor. A total of \$612.06 was remitted.

On the motion of Hunt, the meeting was adjourned at 9:00p.m.

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Town Supervisor, Michael G. Reynolds

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Town Clerk, Colleen R. Freese

**TOWN OF COVERT  
REGULAR TOWN BOARD MEETING  
SEPTEMBER 10, 2012**

Regular meeting of the Town Board of the Town of Covert was held Monday, September 10, 2012 at 7:00 pm at the Town of Covert Municipal Building, 8469 South Main Street, Interlaken, New York.

**Roll Call:** Supervisor Michael Reynolds Present  
Councilman Gary Hunt Present  
Councilman Jeffrey Vann Present  
Councilman Charles Bosman Present  
Councilman Duane Waid Present

**Other Present:** Highway Superintendent, Jeffrey Mac Cheyne, Attorney Patrick Morrell, Town Clerk, Colleen Freese, Reporter Aneta Glover, and other interested citizens.

**Call to Order: .**

Supervisor Reynolds called the meeting to order at 7:00 p.m. All rose for the Pledge of Allegiance.

**Approval of Minutes:**

Waid moved, seconded by Vann, that the August 13, 2012 and August 27, 2012 meeting minutes be approved. Motion carried unanimously.

**Public Hearing:**

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

The purpose of the public hearing was for a variance request under Land management Ordinances for Richard Hepting, 9492 Kingtown Road, to replace an existing garage 36' x 36'. It does not meet the 20' property line set back as required. Richard Hepting, Application # 17-12, stated that he wanted to rebuild a garage and his neighbors were supporting the project. The Planning Board recommends the Town Board approve the variance request.

Supervisor Reynolds closed the public hearing at 7:08 and opened the regular meeting.

**Petitioners to the Board:**

Barry Ford addressed the board about doing a community data base on different topics to see what people's opinions are on different topics. This would allow the people to share their input on different topics without having heated debates at meetings. Mr. Ford is willing to collect this information and compile a database.

Judy Kugelmass stated she is interested in the community input: "I asked the board about doing a survey to see what the residents' opinions are on Hydro-Fracking." Ms. Kugelmass asked if the Land Management Ordinance relates to gas drilling. It talks about gray water. Does this relate to Hydro-Fracking?

Supervisor Reynolds responded, "I will talk to the Town Attorney and get his opinion on section IV of the Land Management Ordinance."

**Committees:**

Councilman Bosman reported that Justice Shaw has applied for a JCAP grant for \$1,200.00 for Court

equipment and he would like the board to approve the grant application.

Councilman Vann Reported that there will be a Water Survey meeting in October and the Ambulance inspection for the Town of Covert will be September 19, 2012.

Supervisor Reynolds reported that Larry Abraham from Colonial Health Insurance would like the Town Board to approve him to manage the Town Health Insurance.

Councilman Waid suggested that Supervisor Reynolds contact Larry Abraham from Colonial Health Insurance and let them know the Town of Covert is interested and would like to set up a meeting with town employees to discuss the kind of insurance coverage they will offer the employees.

**Old Business:**

There was discussion on setting up a meeting with the Assessor and having a detailed budget showing line items and projected yearend expenses for 2012 and a line item budget for 2013.

**New Business:**

There was discussion on reappointing Harold Wright to the Assessment Review Board and the fact that he is still interested in serving on the Assessment Review Board.

**Action Items:**

Waid moved, seconded by Vann, to reappoint Harold Wright to the assessment Review Board for another term. His term will expire September 30, 2017. Motion carried unanimously.

Bosman moved, seconded by Hunt, to approve the JCAP Grant application for the amount of \$1,250.00 for Word Perfect 11 update -\$250.00, computer hard drive and monitor peripherals -\$850.00, water carafe and glasses for counsel litigants -\$50.00 and cordless telephone for clerk -\$100.00. Motion carried unanimously.

Vann moved, seconded by Waid, that the variance request be approved for Richard Hepting, 9492 Kingtown Road, to replace a 36' x 36' garage. Motion carried unanimously.

Hunt moved, seconded by Vann, that Highway Fund Vouchers # 114-123 for \$14,051.96 and General Fund Vouchers # 145-156 for \$13,658.11 be approved for payment. Motion carried unanimously.

Highway Superintendent, Jeffrey MacCheyne, filed his August 2012 written report with the Board Members.

Code Enforcement Officer, John Poludniak, filed his August 2012 written report with the Board Members.

Supervisor Reynolds filed his revenue and expenditure report for August 2012.

Town Clerk Freese filed her August 2012 report with the Supervisor. A total of \$378.95 was remitted.

On the motion of Waid, the meeting adjourned at 8:15 p.m.

Respectful submitted,

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Town Clerk, Colleen R. Freese

**SPECIAL TOWN BOARD MEETING  
SEPTEMBER 17, 2012**

Special meeting of the Town Board of the Town of Covert was held Monday, September 17, 2012 at 6:00 p.m. at the Town of Covert Municipal Building, 8469 South Main Street, Interlaken, New York.

<b>Roll Call:</b>	Supervisor Michael Reynolds	Present
	Councilman Gary Hunt	Present
	Councilman Charles Bosman	Present
	Councilman Jeffery Vann	Present
	Councilman Duane Waid	Present

**Others Present:** Town Clerk, Colleen Freese, Reporter Aneta Glover, and, by phone, Larry Abraham from Colonial Paul Revere Insurance Company.

**Call to Order:**

Supervisor Reynolds called the meeting to order at 6:00 p.m. All rose for the Pledge of Allegiance.

The purpose of the Special meeting was to discuss the Town's judicial function and to discuss health insurance for the Town of Covert.

There was no discussion on the Town's judicial function due to a jury trial.

There was discussion on the Colonial Paul Revere Health Insurance and appointing Larry Abraham as broker for the Town of Covert's Health Insurance. Supervisor Reynolds stated he would like to see what Mr. Abraham could offer the Town of Covert's employees for an insurance plan.

There was concern from the Councilmen about having Mr. Abraham as the exclusive broker for the Town of Covert, and why he could not just come and talk to the employees to see what kind of policy could be offered without being the Town's broker.

Via Phone: Mr. Abraham explained that, due to a confidential privacy act, in order for him to gather information from employees, the state requires a broker. At any time, the town can replace him and it is at no cost to the town for his services.

There was discussion on the broker the town has now and maybe we should contact him to see what he could offer the town. Supervisor Reynolds stated that he has not done anything for the Town for the last four years.

Councilman Hunt moved, seconded by Councilman Waid, that Larry Abraham from Colonial Paul Revere Insurance be the Town of Covert's broker. Nay –Councilman Bosman, Aye- Councilman Waid, Nay- Councilman Vann, Aye- Councilman Hunt and Aye-Supervisor Reynolds. Motion Carried.

Councilman Bosman moved, Seconded by Councilman Waid, to hold a budget workshop on October 8, 2012 at 6 o'clock followed by the Regular Town Board Meeting at 7:00. Motion carried.

Councilman Hunt moved, seconded by Reynolds, to adjourn the meeting at 7:05. Motion carried.

Respectfully Submitted,  
Colleen R. Freese, Town Clerk

**TOWN OF COVERT  
REGULAR TOWN BOARD MEETING  
OCTOBER 8, 2012**

Regular meeting of the Town Board of the Town of Covert was held Monday, October 8, 2012 at 7:00 p.m. at the Town of Covert Municipal Building, 8469 South Main Street, Interlaken, New York.

<b>Roll Call:</b> Supervisor Michael Reynolds	Present
Councilman Gary Hunt	Present
Councilman Jeffrey Vann	Present
Councilman Charles Bosman	Present
Councilman Duane Waid	Present

**Others Present:** Highway Superintendent, Jeffrey Mac Cheyne, Attorney Patrick Morrell, Town Clerk, Colleen Freese, Reporter Aneta Glover. Other interested citizens: Dick Westbrook, Ralph Bailey, Robert Schoffel, Barry Ford, Kristina Cook, Jan Chauncey, Valerie Bassett, Donald Kenyon, Will Millard, Carrie Holcomb and Eric Ott.

**Call to Order:** Supervisor Reynolds called the meeting to order at 7:00 p.m. All rose for the Pledge of Allegiance. A moment of silence was held in the memory of Thomas Wellin.

**Approval of Minutes:** Vann moved, seconded by Bosman, that the September 10, 2012, regular meeting minutes and September 17, 2012 special Meeting minutes be approved. Motion carried unanimously.

Councilman Bosman addresses the public about the guidelines that the Board adopted for Public Meetings. He reminded the public that the Town Board will conduct meetings in an orderly fashion.

**Petitioners to the Board:**

Barry Ford addressed the board about concerned citizens regarding of gas drilling. He asked the Board if they have formed a view on gas drilling and what is that view? Would the board be willing to work with a committee to collect information on gas drilling?

Supervisor Reynolds said the Board agrees that at this time they are not going to take any action on gas drilling. There was much discussion on gas drilling and that surveys really do not provide accurate information. One opinion is that, no matter what stand the Town Board takes on gas drilling, it could end up in court and cost the town money. There was an opinion that if the town does not take a stand, as other towns around Covert have done, then gas drilling will come in to the Town of Covert because it has not set anything in place to keep it out. There was much discussion from the public that information should be gathered on gas drilling and the community informed of the results of the gathered information.

**Committees:**

Councilman Bosman stated that the Historical Society should be commended for the great job they did organizing Plowing days. It was an enjoyable time.

Councilman Hunt shared that a mass gathering permit was not needed for gatherings “by invitation”, but if it is an advertised event, a permit is needed. There was a suggestion from the floor to get a copy of the mass gathering law to read.

Councilman Vann reported that the Certificate of Need for Ambulance Service did not include ambulance service for the Village of Interlaken due to a decision made by someone in the State Health Department. Now the Town is seeking to get the Village of Interlaken included, as it should have been.

Town Attorney Morrell asked for an executive session to discuss the proposed litigations against the New York State Department of Health.

There was discussion on the Assessor budget for 2013 and the amount she receives for salary. She did provide an expenditure report as requested by the Town Board.

### **RESOLUTION #10-12 Highway Equipment**

**Whereas:** A major function of a town government is to build and maintain good and safe town roads: **And Whereas:** In order to perform this function in an efficient manner, good running equipment is required: The Supervisor of the Town of Covert and the Highway Superintendent for the Town of Covert are hereby authorized to enter into a contract with Five Star Equipment, Inc. prior to 10/15/12 for a 2013 John Deere 624K four wheel drive loader per stated contract price of \$138,166.59 (including listed options), less trade in of a 1991 John Deere 544E wheel loader of \$25,000.00, leaving a balance not to exceed \$113,166.59. Specification for the loader and options are specified on the quote dated 9/18/12 from Five Star Equipment, Inc. Delivery to be made on or about 1/01/2013. Payment is to be made in two installments: Payment # 1 from 2013 budget of \$57,668.26 to be made within 30 days of delivery from 2013 budgeted funds and/or equipment reserve funds. Payment # 2 from 2014 funds of \$57,668.26 to be made on or after Jan 1, 2014 from 2014 budgeted funds and/or equipment reserve funds. Motion made by Councilman Bosman, Motion seconded by Councilman Vann. Vote: Councilman Hunt – Aye, Councilman Wade –Aye, Councilman Vann –Aye, Councilman Bosman –Aye and Supervisor Reynolds - Aye.

### **RESOLUTION #11-12 MedEx Billing Agreement**

Made this 15th day of September, 2012, by and between the TOWN OF COVERT organized and existing under, and by virtue of, the laws of the State of New York, having its principal place of business at 8469 South Main Street, Interlaken, New York 14847, hereinafter referred to as TOWN OF COVERT and MedEx Billing, Inc., having principal place of business at 8020 East Main Road, LeRoy, New York, 14482, hereinafter referred to as MedEx.

WHEREAS, TOWN OF COVERT desires to obtain the services of MedEx to institute the management of third party billings on its behalf for services rendered by it; and WHEREAS, MedEx is willing to provide third party billing services to TOWN OF COVERT upon the terms and conditions more particularly set forth below; NOW, THEREFORE, in consideration of such premises, and the mutual covenants hereinafter set forth, it is hereby agreed between TOWN OF COVERT and MedEx as follows:

**1. Term of Contract:** This contract shall be effective between the parties, and govern their obligations and responsibilities to each other, for a period of three years and such additional period as shall be necessary in order to make this agreement binding upon the parties through the end of the calendar month three years subsequent to the date of the execution thereof, together with any succeeding renewal periods as may hereafter occur in accordance with the terms of this agreement.

**2. Responsibilities and authority of billing agent:** For so long as this agreement, and any renewals thereof, shall remain in effect, MedEx shall serve as the sole and exclusive third party billing agent for TOWN OF COVERT. MedEx shall devote sufficient time and attention to the affairs of TOWN OF COVERT so as to properly and responsibly fulfill duties as its billing agent.

**3.** MedEx shall have the responsibility to prepare and send all bills to be rendered by TOWN OF COVERT to third parties for services rendered by it, except for services rendered by TOWN OF COVERT under separate contracts, which provide for compensation to TOWN OF COVERT for the services called for therein.

**4.** MedEx shall prepare such bills based upon the complete patient care documentation and other records submitted by TOWN OF COVERT and TOWN OF COVERT shall be responsible for ensuring the completeness and accuracy of such documents and for all representations made therein. MedEx agrees to maintain confidentiality of all patient care reports as required by applicable laws and regulations as described more particularly herein.

MedEx shall also be responsible for the collection of fees due to TOWN OF COVERT, as set forth in such bills and, in connection therewith, shall render follow-up statements of account, prepare and properly submit insurance claim forms, or otherwise prepare any documents or provide any information that may be necessary in order to secure payment of fees due to TOWN OF COVERT as billed by MedEx. MedEx shall not be authorized to negotiate Medicare checks on behalf of TOWN OF COVERT. MedEx will forward all collected fees to TOWN OF COVERT or directly deposit such fees in TOWN OF COVERT's account. MedEx is not obligated to institute any legal proceedings in order to collect such sums.

MedEx shall, on TOWN OF COVERT's behalf, undertake "reasonable collection efforts," as that term is defined by the Centers for Medicare and Medicaid Services (CMS), for the collection of co-payments and deductibles owed by Medicare beneficiaries for such accounts forwarded by TOWN OF COVERT to

MedEx. The only exceptions are in cases where the beneficiary is determined by TOWN OF COVERT to be indigent and where TOWN OF COVERT so notifies MedEx.

MedEx shall deliver to the TOWN OF COVERT President or designee, in a timely fashion, but not less frequently than once each month, such sums as shall have been collected by it on behalf of TOWN OF COVERT. MedEx shall also furnish to the President or designee, a report of billing and collection activities for the preceding month, which shall be in the form as agreed between TOWN OF COVERT and MedEx. MedEx **shall** be authorized to make deposits, **shall not** be authorized to make payments or issue checks on behalf of TOWN OF COVERT, but shall be authorized, upon consultation with the President or designee of TOWN OF COVERT, to compromise disputed billings.

**3. Payment for services rendered by billing agent:**

**Note: All financial considerations are based on a calendar year.** TOWN OF COVERT will pay to MedEx a Base Fee for each billable account, see Addendum, Section A. With respect to the base fee owed to MedEx, the parties shall, at a minimum of 90 days after the end of the calendar year, determine the gross compensation paid to MedEx by TOWN OF COVERT. In the event that the gross compensation paid by TOWN OF COVERT to MedEx for the previous calendar year exceeds ten percent (10%) of TOWN OF COVERT's gross revenues collected by MedEx, the Base Fee shall be readjusted for the current year so that the gross compensation paid by TOWN OF COVERT to MedEx for the current year does not exceed ten percent (10%) of the gross revenues of TOWN OF COVERT as collected by MedEx. No additional payment shall be due for any follow-up efforts that may be required beyond the initial billing in order to effectuate collection of any account. Payments shall be made to MedEx upon receipt of invoice each month. The obligations of the parties concerning any accounts placed with MedEx prior to the expiration of the term of this agreement, and which may be collected subsequent to the termination hereof, shall be the same as provided for in this agreement and the parties shall be bound by the terms hereof as if said agreement had not terminated or expired. In the event MedEx must pursue collection of the amounts TOWN OF COVERT owes to MedEx, TOWN OF COVERT shall be responsible to pay all of MedEx's costs of such collection including, but not limited to: reasonable attorney's fees and filing fees.

**4. Independent Contractor Status:** MedEx represents and acknowledges that it is an independent contractor and is not, nor is it, nor any of its agents, to be construed as, an employee of TOWN OF COVERT. As such, MedEx understands that TOWN OF COVERT will not withhold any federal or state income taxes from, nor pay or deduct any F.I.C.A. contributions on account of, payments due to MedEx under the terms of this agreement.

MedEx also acknowledges that neither it, nor any of its agents, will be covered under the terms and provisions of any unemployment, disability, worker's compensation or other policies of insurance that may be maintained by TOWN OF COVERT or which are otherwise required to be maintained by an employer under applicable statutes and regulations. MedEx agrees to provide TOWN OF COVERT with a duly executed, completed W-9 form, or such other forms as may be required by applicable statutes, and acknowledges that TOWN OF COVERT will file a 1099 form, or other such form, with the federal and state tax authorities reporting payments made to MedEx on a calendar year basis.

MedEx, for its part, agrees not to represent itself to be, nor otherwise hold itself, nor any of its agents, out as an employee of TOWN OF COVERT and shall be solely responsible for making any and all payments that may be due to federal, state or other taxing authorities on account of the payments received by it under this agreement including, but not limited to, estimated tax payments, self-employment tax, income tax and any other payments that may be provided for by statute or regulation.

**5. Termination of services:** This agreement may be terminated by MedEx upon written notice stating its intention to terminate its relationship with TOWN OF COVERT, which notice must be given to TOWN OF COVERT at least ninety (90) days prior to the effective date specified therein which date shall be the last day of a calendar month. The services of MedEx may be terminated by TOWN OF COVERT by written notice directed to it, signed by the President of TOWN OF COVERT. In the event of termination by TOWN OF COVERT, the termination may be effective immediately or at a date specified therein which date shall not be later than the last day of the calendar month next succeeding the date of such notice, at the option of TOWN OF COVERT.

**6. Requirement of Performance:** The failure of either party to insist upon strict performance of any of the provisions of this Agreement shall not be construed as a waiver of any subsequent default of the

same or similar matter.

**7. Severability:** If any provision of this Agreement shall be declared invalid by any court of competent jurisdiction, all other provisions of this Agreement shall remain valid and in full force and effect.

**8. Interpretation:** This agreement shall be interpreted under the laws of the State of New York. All actions relating to this agreement shall be brought exclusively in a court of competent jurisdiction in Genesee County, New York, and TOWN OF COVERT expressly consents to personal jurisdiction therein.

**9. Automatic Renewal:** Unless otherwise terminated in accordance with the provisions set forth above or unless either party notifies the other, in writing, at least 45 days prior to the expiration date hereof, of its intention not to renew this agreement, this agreement shall automatically be renewed for successive, additional one year periods, upon the same terms and conditions set forth herein, and the parties shall continue to be bound thereby.

**10. Complete Agreement:** This agreement contains the entire understanding of the parties with reference to its subject matter, and there are no other, further or different understandings, undertakings, agreements, representations, or warranties, express or implied, in any way limiting, extending, defining or relating to any provisions of this Agreement, or to any of the subject matter and things to which this agreement relates.

**11. Amendments:** No agreement altering, modifying or releasing the terms of this Agreement shall be valid unless the same is in writing and executed with the same formality as this Agreement

**12. Compliance:** Each party is responsible for monitoring and ensuring its own compliance with all applicable state and federal laws and regulations pertaining to billing and reimbursement for its services. However, either party which becomes aware of a violation of any such state or federal laws or regulations or of a questionable claim or claim practice agrees to notify the other party in writing within thirty (30) days so the other party may address the matter. The parties shall provide copies of their compliance policies or guidelines to the other party upon reasonable written request.

**13. Qualifications:** a. TOWN OF COVERT represents and warrants the following, both presently and during the term of this Agreement: (1) TOWN OF COVERT currently possesses all required licenses, certification and permits necessary to do business and will continue to maintain them during the term of this Agreement; (2) TOWN OF COVERT possesses a valid Medicare provider number; (3) TOWN OF COVERT is in good standing with all state and federal agencies and is not currently the subject of any investigations or actions; (4) TOWN OF COVERT is not excluded or subject to exclusion from any state and/or federal health care program; and (5) TOWN OF COVERT complies with all applicable state and federal laws and regulations pertaining to billing for its services and will at all times continue to do so.

b. MedEx represents and warrants that it is not the subject of any actions or investigations pertaining to its participation in any state or federal health care program, that it is not excluded or subject to exclusion from any state or federal health care program, and that it is in good standing with all state and federal agencies pertaining to the services it provides, and that MedEx will remain in good standing with such agencies during the term of this Agreement.

c. Notwithstanding any other provisions of this agreement, either party may terminate this agreement immediately upon the exclusion of the other party from any federal health care program.

**14. Indemnification:** TOWN OF COVERT shall hold harmless, indemnify and defend MedEx against any and all claims, causes of action, and damages including, but not limited to, overpayment or false claims liability to any government agency, third party payer, financially responsible party, carrier or insurer, to the extent caused by any act or omission, including but not limited to supplying inaccurate, false or fraudulent information, on the part of TOWN OF COVERT or its agents, contractors or employees. This provision shall include all costs and disbursements, including without limitation court costs and reasonable attorneys' fees. MedEx shall hold harmless, indemnify and defend TOWN OF COVERT against any and all claims, causes of action and damages to the extent that the same are caused by any act or omission on the part of Medex or its agents, contractors or employees.

**15. Records:** Upon written request and reasonable advance notice, TOWN OF COVERT shall have

the right, during regular business hours, at a time and location designated by MedEx, to review financial and related information in MedEx' possession that directly relate to TOWN OF COVERT's account and to MedEx' services on behalf of TOWN OF COVERT. All information, documentation papers and reports relative to TOWN OF COVERT's account in the possession of MedEx are the property of MedEx.

**16. Regulatory Changes:** The parties recognize that this Agreement is at all times subject to applicable state, local, and federal laws and shall be construed accordingly. The parties further recognize that this Agreement may become subject to or be affected by amendments in such laws and regulations or to new legislation or regulations. Any provisions of law that invalidate, or are otherwise inconsistent with, the material terms and conditions of this Agreement, or that would cause one or both of the parties hereto to be in violation of law, shall be deemed to have superseded the terms of this Agreement and, in such event, the parties agree to utilize their best efforts to modify the terms and conditions of this Agreement to be consistent with the requirements of such law(s) in order to effectuate the purposes and intent of this Agreement. In the event that any such laws or regulations affecting this Agreement are enacted, amended or promulgated, either party may propose to the other a written amendment to this Agreement to be consistent with the provisions of such laws or regulations. In the event that the parties do not agree on such written amendments within thirty (30) days of receipt of the proposed written amendments, then either party may terminate this Agreement without further notice, unless this Agreement would expire earlier by its terms. In the event that any laws or regulations would make such amendment impossible or futile and render performance by either party illegal or impossible for any reason, either party may terminate the Agreement as of the effective date of such laws or regulations.

**17. Termination of Prior Contracts:** All contracts between the parties previously executed are hereby terminated as of the effective date of this Agreement.

**18. HIPAA Business Associate Assurances:**

a. Effective April 14, 2003, MedEx shall carry out its obligations under this Agreement in compliance with the privacy regulations pursuant to Public Law 104-191 of August 21, 1996, known as the Health Insurance Portability and Accountability Act of 1996, Subtitle F — Administrative Simplification, Sections 261, *et seq.*, as amended ("HIPAA"), to protect the privacy of any personally identifiable protected health information ("PHI") that is collected, processed or learned as a result of the billing services provided hereunder. In conformity therewith, MedEx agrees that it will: (1) Not use or further disclose PHI except as permitted under this Agreement or required by law; (2) Use appropriate safeguards to prevent use or disclosure of PHI except as permitted by this Agreement; (3) To mitigate, to the extent practicable, any harmful effect that is known to MedEx of a use or disclosure of PHI by MedEx in violation of this Agreement. (4) Report to TOWN OF COVERT any use or disclosure of PHI not provided for by this Agreement of which MedEx becomes aware; (5) Ensure that any agents or subcontractors to whom MedEx provides PHI, or who have access to PHI, agree to the same restrictions and conditions that apply to MedEx with respect to such PHI; (6) Make PHI available to TOWN OF COVERT and to the individual who has a right of access as required under HIPAA within thirty (30) days of the request by TOWN OF COVERT regarding the individual; (7) Incorporate any amendments to PHI when notified to do so by TOWN OF COVERT; (8) Provide an accounting of all uses or disclosures of PHI made by MedEx as required under the HIPAA privacy rule within sixty (60) days; (9) Make its internal practices, books and records relating to the use and disclosure of PHI available to the Secretary of the Department of Health and Human Services for purposes of determining MedEx's and TOWN OF COVERT's compliance with HIPAA; and (10) At the termination of this Agreement, return or destroy all PHI received from, or created or received by MedEx on behalf of TOWN OF COVERT, and if return is infeasible, the protections of this agreement will extend to such PHI.

b. The specific uses and disclosures of PHI that may be made by MedEx on behalf of TOWN OF COVERT Include:

- (1) The preparation of invoices to patients, carriers, insurers and others responsible for payment or

reimbursement of the services provided by TOWN OF COVERT to its patients;

(2)Preparation of reminder notices and documents pertaining to collections of past due accounts;

(3) The submission of supporting documentation to carriers, insurers and other payers to substantiate the health care services provided by TOWN OF COVERT to its patients or to appeal denials of payment for same.

(4) Uses required for the proper management of the MedEx as a business associate.

(5) Other uses or disclosures of PHI as permitted by HIPAA privacy rule.

c. Notwithstanding any other provisions of this Agreement, this Agreement may be terminated by TOWN OF COVERT, in its sole discretion, if TOWN OF COVERT determines that MedEx has violated a term or provision of this Agreement pertaining to MedEx's obligations under the HIPAA privacy rule, or if MedEx engages in conduct which would, if committed by TOWN OF COVERT, result in a violation of the HIPAA privacy rule by TOWN OF COVERT.

SECTION- A (ADDENDUM) TOWN OF COVERT will pay to MedEx a Base Fee for each billable account, the sum of Twenty-Four Dollars and 00/100 cents (\$24.00) for calendar year(s) 2012 and 2013. This fee shall remain effective until all involved parties agree upon a change. MedEx agrees to discount this fee by a sum not to exceed one dollar (\$1.00) for each billable account in the event the TOWN OF COVERT utilizes an electronic Pre-Hospital Care Report. This discount shall remain in effect as long as TOWN OF COVERT stays current with their account balance and does not fall into arrears in regards to their fees owed to MedEx. Motion made by Councilman Vann, Motion seconded by Councilman Waid. Vote: Councilman Hunt – Aye, Councilman Wade –Aye, Councilman Vann –Aye, Councilman Bosman -Aye and Supervisor Reynolds -Aye

#### **RESOLUTION # 12-12 Natural Gas Drilling Position**

**Whereas** the Covert Town Board is committed to a clean and safe environment, encouraging a strong and diverse economy and continuing the efficient and effective use of the Town's limited financial and human resources, and

**Whereas** the Covert Town Board recognizes that the New York State Department of Environmental Conservation is presently mandated to, and is expected to continue to regulate the extraction of natural gas and other natural resources in the Town of Covert and the State, and

**Whereas** the Covert Town Board also recognizes other regulatory and elected bodies at the state and federal levels which have legal jurisdiction over these matters, and

**Whereas** the Covert Town Board has observed the continuing and ongoing multi-year study by the New York State Department of Environmental Conservation and other agencies and governmental entities as they weigh the pros and cons of high volume horizontal hydraulic fracturing with no conclusive near term decisions expected, and

**Whereas** the Covert Town Board recognizes the certainty that legal challenges will be brought against whatever decisions are ultimately rendered by DEC and others, leading to judicial decisions which may change the legislative and regulatory landscape of this issue, and Whereas the Covert Town Board has observed that some New York municipalities have expended countless hours and other resources on pro/con discussions and/or attempts to pass or not pass moratoriums or outright bans on various gas drilling activities and recognizes all such attempts will ultimately be decided by the courts. Now therefore be it resolved that the Covert Town Board does hereby state that any Town of Covert resources and/or decisions on the subject of natural gas drilling be held in abeyance until such time as all regulatory studies have been concluded, conclusions publicized, resulting lawsuits finalized and any new state or federal regulations have been proposed. Motion made by Councilman Vann, Motion seconded by Councilman Waid .Vote: Councilman Hunt – Aye, Councilman Wade –Aye, Councilman Vann –Aye, Councilman Bosman -Aye and Supervisor Reynolds -Aye.

Bosman moved, seconded by Hunt, to enter into executive session at 8:25 p.m. as requested by Town Attorney to discuss the proposed litigations against the New York State Department of

Health. Vote: Councilman Hunt – Aye, Councilman Waid –Aye, Councilman Vann –Aye, Councilman Bosman-Aye and Supervisor Reynolds-Aye. Hunt moved, seconded by Bosman, to come out of executive session and return to regular meeting at 8:39. Vote: Councilman Hunt – Aye, Councilman Waid –Aye, Councilman Vann –Aye, Councilman Bosman-Aye and Supervisor Reynolds-Aye.

There was discussion at the Budget workshop on the 2013 Budget's Town Justice salary; some board members want it increased: a vote of 2 for an increase to \$10,000.00 and three against the \$10,000.00 increase. The Town Justice will receive a 2% increase making his salary for the 2013 budget \$9,180.00.

The Town of Covert Board set forth: That **Whereas**, The Town Board of the Town of Covert has reviewed and made changes to the 2013 Tentative Budget for the Town of Covert, the Five Town Coordinated Assessment Program, Trumansburg and Fire Interlaken Fire Protection contract and Trumansburg Ambulance: **Now, therefore, be it resolved** that the Town Clerk is duly authorized to file said budget for public inspection. Said budget shall be on file at the Town Clerk's Office at 8469 South Main Street, Interlaken, New York.

The Town of Covert Board set forth: A the Public Hearing on the Town of Covert's 2013 Preliminary Budget, including General Funds, Highway Funds, The Five Town Coordinated Assessment Program, Trumansburg and Interlaken Fire Protection Contract and Trumansburg Ambulance Contract on Monday, October 29, 2012 at 6:00PM at the Town of Covert Municipal Building, 8469 South Main Street, Interlaken, New York.

Bosman moved, seconded by Waid, that Highway Fund Vouchers #124-132 for \$104,832.05 and General Fund Vouchers # 157-170 for \$ 16,314.04 be approved for payment. Vote: Councilman Hunt – Aye, Councilman Waid –Aye, Councilman Vann –Aye, Councilman Bosman-Aye and Supervisor Reynolds-Aye.

Highway Superintendent, Jeffrey MacCheyne, filed his September 2012 written report with Board Members.

Supervisor Reynolds filed his revenue and expenditure report for September 2012.

Town Clerk Freese filed her September 2012 report with the Supervisor. A total of \$533.94 was remitted.

On the motion of Hunt, the meeting adjourned at 9:00 p.m.

Respectfully submitted,

Town Clerk, Colleen R. Freese

Supervisor, Michael Reynolds

**PUBLIC HEARING AND SPECIAL TOWN BOARD MEETING  
OCTOBER 29, 2012**

Public hearing and special meeting of the Town Board of the Town of Covert was held Monday, October 29, 2012 at 6:00 p.m. at the Town of Covert Municipal Building, 8469 South Main Street, Interlaken, New York.

<b>Roll Call:</b> Supervisor Michael Reynolds	Present
Councilman Gary Hunt	Present
Councilman Charles Bosman	Present
Councilman Jeffery Vann	Present
Councilman Duane Waid	Present

**Others Present:** Town Clerk, Colleen Freese, Reporter Aneta Glover.

**Call to Order:**

Supervisor Reynolds called the Public Hearing to order at 6:00 p.m. All rose for the Pledge of Allegiance.

The purpose of the public meeting was to hear comments on the proposed 2013 Budget, including General Town Funds, Highway Funds, Five Town Coordinated Assessment Program Funds, Trumansburg Ambulance Fund and Trumansburg and Interlaken Fire Protection District Fund.

There was discussion on trading in the Highway pickup truck for a new one. Supervisor Reynolds shared that he was trying to keep a fund balance for next year and felt at this time it would leave the fund balance too low. There was discussion on equipment for the Highway Department to set a plan for what will need to be purchased over the next four years.

**RESOLUTION NO. 13-12**

Bosman moved, seconded by Hunt, **THAT** the 2013 Preliminary Budget be adopted as the final budget for 2013 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, 2013 and that such budget, as adopted, be entered in detail into the minutes of the proceeding of the Town Board, and Be it

**FURTHER RESOLVED 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.

Aye-Hunt, Aye- Bosman, Aye-Waid, Aye-Vann and Aye-Reynolds. (See Attached)

Supervisor Reynolds closed Public hearing at 6:35 and opened Special Meeting at 6:36 p.m.

The purpose of the Special Meeting was to pass a resolution to move forward with litigation against the New York State Department of Health as was approved at the October Board meeting.

**RESOLUTION NO. 14-12**

Resolution of the Town Board of the Town of Covert

WHEREAS, the Town of Covert applied for Ambulance Operating Authority for the entire Town of Covert excluding the Fire Protection District of Trumansburg,

WHEREAS, the New York State Department of Health refused to grant the Town operating authority in the Village of Interlaken,

WHEREAS, the Town believes that it is in the best interest of the health, safety and welfare of the Town residents who reside in the Village of Interlaken to be provided ambulance services by the Town,

NOW THEREFORE, upon motion made, seconded, and discussion held, it is hereby resolved as follows:

1. The Town Supervisor is hereby authorized to take any and all actions necessary to commence an Article 78 Proceeding against the State of New York and the New York State Department of Health in order to obtain operating authority within the Village of Interlaken; and
2. The Town is authorized to incur legal fees and expenses up to the amount of \$10,000.00 in pursuit of such litigation at the trial court level, and that the Town is of the understanding and hereby accepts the offer of the Village of Trumansburg to pay up to \$5,000.00 of such above amount; and the Town is authorized to take such actions as are necessary in pursuit of such legal action.

Motion made by: Councilman Bosman

Seconded by: Councilman Hunt

Vote: Aye- Councilman Bosman, Aye- Councilman Waid, Aye-Councilman Vann, Aye-Councilman Hunt and Aye-Supervisor Reynolds.

Councilman Bosman made a motion to adjourn meeting, seconded by Councilman Waid.  
Meeting adjourned at 7:10 p.m.

Respectfully Submitted,

**TOWN OF COVERT  
SENECA COUNTY  
REGULAR TOWN BOARD MEETING  
NOVEMBER 12, 2012**

Regular meeting of the Town Board of the Town of Covert was held Monday, November 12, 2012 at 7:00 p.m. at the Town of Covert Municipal Building, 8469 South Main Street, Interlaken, New York.

<b>Roll Call:</b>	Supervisor Michael Reynolds	Present
	Councilman Gary Hunt	Present
	Councilman Charles Bosman	Present
	Councilman Jeffrey Vann	Present
	Councilman Duane Waid	Present

**Others Present:** Town Attorney Patrick Morrell, Town Clerk Colleen Freese, Highway Superintendent, Jeffrey MacCheyne, Reporter Aneta Glover, Roxanne Gupta and Lodi Supervisor Lee Davidson and other interested citizens.

**Call to Order:**

Supervisor Reynolds called the meeting to order at 7:00 p.m. All rose for the pledge of allegiance.

**Approval of Minutes:** Hunt moved, seconded by Vann, that the October 8, 2012 regular meeting minutes and October 28, 2012 special meeting minutes be approved. Motion carried unanimously.

Supervisor Reynolds introduced Leon Anderson, who is the new Police Officer for the Village of Interlaken.

**Petitioner to the Board:**

Roxanne Gupta stated, to the Town Board, that she was concerned if it was good public policy that the resolution was passed without public discussion or if it was legal. She asked for clarification, in writing, on the gas drilling resolution passed. She also stated, in her opinion, that Hydro-Fracking is of life and death importance to the human, biological, ecological and economic life of the Finger Lake Region. (Gupta's written letter of concerns is on file with the Town Clerk's Office).

Roxanne stated, "We don't want to be on the opposite side that you are. We want to work with you, we want to have our government that is elected on our side and, believe me, if you don't work with us, we will replace you next time you come up for office, I can guarantee it."

Lee Davidson shared on Hunts Water Survey and the committee has had some health issues with those involved, but the committee, is planning to move forward. At the next meeting, we will be sharing data, information of cost and impact to areas.

There was also discussion from many citizens on what the purpose of the Town Board's resolution was on gas drilling and why the Town Board did not respond to questions, the citizens were asking? Concerns included health issues, damage to the water and land: and how it will affect our children and grandchildren in the future. Why would we leave this decision up to the

government? The citizens would like the board to reconsider the resolution and consider a moratorium.

Councilman Bosman questioned the citizens understanding of a moratorium. He explained the steps involved in obtaining moratorium and that the State of New York is conducting studies pertaining to the issues and concerns of Hydro-Fracking. In addition, he pointed out the additional cost to the taxpayer if the town participated in a separate study. The Board wants to wait to see what happens in New York State Courts before they make a decision about Hydro-Fracking”.

Insert from Colleen Freese, Town Clerk:

On Monday, October 15, 2012, I attended two meetings: one on Electronic Records and the other one on what Auditors look for. These were very informative meetings and I learned a lot. I ask that we work together to improve areas where we may be weak. This is important because a time is coming when the Town will be audited.

The state has found that most Towns who do not audit books, as required, are ones where they find fraud taking place.

1. The Electronic Record was informative and is something we need to look at in the storage of our records with the possibility of an offsite backup system for the future. There are different options out there and this will take some consideration and research. The Record Management stated the town should have a steering committee to gather this information and see what the Town can afford. Plans should be set up in case of a disaster. (A little bit of prevention is a whole lot of recovery)

2. Now, my main concern is getting us on track and looking at the things an auditor looks at when a town is audited:

a. Year end audits of books are to be done by the Board or someone hired to go through books and records making sure bank accounts have been balanced, checking deposits and comparing them with income to be sure they are equal. If done right it should take at least 2 hours to audit each Officer’s book.

b. Supervisor’s reports are to be approved by vote, not just stated as “filed with the Board”. There should be audits on his books, also.

c. They should check to see if the Board has been in compliance with Laws, Regulations and Board Policies; does the Board monitor and enforce policies?

d. Does the Board have a Procurement Policy and Investment Policy and is it reviewed every year? We do have a policy that was passed in June 1982. These policies need to be reviewed every year and so noted in the minutes.

e. Budget: all amendments that are made after the budget is reviewed by the public must be documented in the minutes and approved by the Board.

f. Budget amendments are to be done throughout the year; when an account gets low or goes over-budget, that accounts should be amended? We should not wait until the end of the year to make amendments.

In the last three years, my previous Deputy and I have worked to get the minutes indexed. They had not been indexed since December 1995. At this time, they are up to date. These are just some of the items we need to work on and I look forward to working with you all to make improvements toward what the state requires from all of us.

The last time the Town was audited was in the 1990's, so it would be good to have an audit. After some discussion on Audits, the Town Board requested that the Town Clerk draft a letter from the Town Board to the State Comptroller's Office requesting an audit for the Town of Covert.

RESOLUTION 13-12

**Whereas** the 2012 budget does not reflect either income or expenses related to a donation of \$2,500.00 for house signage, and **WHEREAS** \$2,500.00 was received from Seneca Meadows, Inc, and **WHEREAS** the Town of Covert Board propose to purchase house signage material for house number signs, **NOW THEREFORE, BE IT RESOLVED THAT** the 2012 budget be amended to reflect the \$2,500.00 Added to Revenues line B2705 gift and donations fund and added to increase appropriated expenses line B-820.4 to be used solely for the purpose of house signage materials for house numbers. Motion By: Bosman ,Seconded By: Waid Vote: Councilman Hunt – Aye, Councilman Waid –Aye, Councilman Vann –Nay, Councilman Bosman-Aye and Supervisor Reynolds-Aye.

RESOLUTION 14-12

**WHEREAS** the Town of Covert has established the Town of Covert Ambulance Service in conjunction with Trumansburg Ambulance Service, and **WHEREAS** the 2013 budget does not reflect either a income or expenses line, **NOW THEREFORE, BE IT RESOLVED THAT** Town Board of Town of Covert does authorize the, following budget amendments to the 2013 budget to include a revenue line A-1640 and expensive line A-4540 for ambulance service. Motion by: Hunt ,Seconded by Waid. Vote: Councilman Hunt – Aye, Councilman Waid –Aye, Councilman Vann –Aye, Councilman Bosman-Aye and Supervisor Reynolds-Aye.

Bosman moved, seconded by Waid, to approve Town Clerk Colleen Freese to attend the New York State Town Clerks Association training on “Your Legal Responsibilities” and “Disaster Planning and Preparedness for Record Managers.” The Training will be at the Rochester Airport Marriott. Councilman Hunt – Aye, Councilman Waid –Aye, Councilman Vann –Aye, Councilman Bosman-Aye.

Hunt moved, seconded by Vann, that the Town would purchase an air conditioner meeting the requirements of the New York State Save Green rebates and apply for the rebate. Councilman Hunt – Aye, Councilman Waid –Aye, Councilman Vann –Aye, Councilman Bosman-Aye and Supervisor Reynolds-Aye.

Hunt moved, seconded by Bosman, that Highway Fund Vouchers #134-143 for \$41,196.40 and General Fund Vouchers # 171-190 for \$24,976.06 be approved for payment. Councilman Hunt – Aye, Councilman Waid –Aye, Councilman Vann –Aye, Councilman Bosman-Aye and Supervisor Reynolds-Aye.

Vann moved, seconded by Waid, to approve the Highway Superintendent monthly report for October 2012. Councilman Hunt – Aye, Councilman Waid –Aye, Councilman Vann –Aye, Councilman Bosman-Aye .

Hunt moved, seconded by Waid, to approve the Code Enforcement Officer report for the month of October 2012. Councilman Hunt – Aye, Councilman Waid –Aye, Councilman Vann –Aye, Councilman Bosman-Aye .

Bosman moved, seconded by Waid to reappoint Robert Schoffel to the Planning Board for another term. Term will expire December 2019. Councilman Hunt – Aye, Councilman Waid – Aye, Councilman Vann –Aye, Councilman Bosman-Aye.

Waid moved, seconded by Hunt, to approve the Supervisor revenue and expenditure report for October 2012. Councilman Hunt – Aye, Councilman Waid –Aye, Councilman Vann –Aye, Councilman Bosman-Aye .

Bosman moved, seconded by Waid, to approve the Town Clerk monthly report for October. A total of \$217.25 was remitted to the Town Supervisor. Councilman Hunt – Aye, Councilman Waid –Aye, Councilman Vann –Aye, Councilman Bosman-Aye .

Vann moved, seconded by Waid, to enter into executive session at 9:10 as requested by Town Attorney to discuss the litigations against the New York State Department of Health. Councilman Hunt – Aye, Councilman Waid –Aye, Councilman Vann –Aye, Councilman Bosman-Aye .

Hunt moved, seconded by Bosman, to come out of executive session and return to regular meeting at 9:40. Councilman Hunt – Aye, Councilman Waid –Aye, Councilman Vann –Aye, Councilman Bosman-Aye.

Bosman moved, seconded by Hunt, that the meeting be adjourned at 9:45 p.m.

Respectfully submitted,

Town Clerk, Colleen R. Freese

Supervisor, Michael Reynolds

**TOWN OF COVERT  
SPECIAL TOWN BOARD MEETING  
NOVEMBER 30, 2012**

The Town Board of the Town of Covert held a Special Meeting Friday, November 30, 2012, 2012 at 6:00 p.m. at the Town of Covert Municipal Building, 8469 South Main Street, Interlaken, New York.

<b>Roll Call:</b> Supervisor Michael Reynolds	Present
Councilman Duane Waid	Present
Councilman Charles Bosman	Present
Councilman Gary Hunt	Present
Councilman Jeffery Vann	Present

Others Present: Town Clerk Colleen Freese, and reported Aneta Glover and other concern citizens.

**Call to Order:**

Supervisor Reynolds called the meeting to order at 6:00 p.m.

The purpose of the Special Meeting was to discuss the Town Board Sponsoring a Seminar on Truths and Facts on Fracking, Health Insurance Representative, and Ambulance District for the 2013 budget.

Charles Bosman reported that he attend a health insurance meeting with the employees. The employees were not pleased with what the insurance representative was prosing for insurance coverage or the attitude he gave the employees. Supervisor Reynolds shared that he, Councilman Waid, Councilman Bosman and Town Clerk met with another insurance representative, which presented a very informative and polite presentation. Reynolds suggested the Town Board Consider William B. Chamberlain for the town's health insurance representative.

Supervisor Reynolds shared that the Town of Covert needs to establish an ambulance district to encompass the entire Town of Covert outside the village in order to collect tax money for 2013 Budget.

There was discussion on the Town of Covert sponsoring a seminar on truth and facts on Hydro-Fracking. Councilman Bosman stated that the board passed a resolution not to make any decision on hydro-Fracking, until they see what New York State decisions is. The Board Member would like to see a seminar held that would provide two speaker to shares information on the pro and cons of Hydro-Fracking.

Barry Ford stated he was looking for someone to come and share both sides of Hydro-Fracking. The Concern Citizens want so have speakers that have no vested interest in Hydro-Fracking. Don Kenyon shared that Brayton Foster a Town of Covert resident, geologist. Independent consultant and farmer is willing to come and share about Hydro-Fracking. He also stated that the Board should not go to a Fracking meeting that does not share both sides. After much discussion the decision was that Barry Ford would work on setting up a meeting that would have two speakers' one representing each side of Hydro-Fracking.

Councilman Waid moved, seconded by Councilman Bosman, that William D. Chamberlin from the Finger Lakes Group, LLC 84 Main Street Binghamton, Ny 13905 as our soul insurance representative; respect to coverage provided to this organization by Excellus Blue Shield, CNY Regions effective December 1, 2012. Aye – Councilman Bosman, Aye- Councilman Waid, Aye- Councilman Vann, Aye- Councilman Hunt and Aye-Supervisor Reynolds. Motion Carried.

**ORDER FOR PUBLIC HEARING ON ESTABLISHMENT OF AMBULANCE DISTRICT  
RESOLUTION 15-12**

WHEREAS, the Town Board of the Town of Covert proposes to establish the Town of Covert Ambulance District to encompass the entire Town of Covert outside of the village of Interlaken, pursuant to New York State Town Law §209; and

WHEREAS, the boundaries of the proposed ambulance district are the entire Town of Town of Covert, outside the Village of Interlaken; and

WHEREAS, the improvements proposed consist of contracting for ambulance services for the residents of the proposed district; and

WHEREAS, the maximum amount to be expended annually for such service is \$93,000.00; and

WHEREAS, the proposed method to be employed for financing such improvement is as follows: ad valorem tax at a rate of approximately \$ 0.33 per \$1,000.00 of assessed valuation;

WHEREAS, the official map of the Town of Covert outside the Village of Interlaken and report describing such improvement are available for inspection at the office of the Town Clerk at 8469 South Main Street, Interlaken, New York 14847;

NOW THEREFORE, BE IT ORDERED, that the Town Board of the Town of Covert shall meet at the Town Offices, 8469 South Main Street, Interlaken, New York 14847, on the 14<sup>th</sup> day of January, 2013 at 7:00 p.m., for the purpose of conducting a public hearing on the proposal to establish said ambulance district with the improvements specified above, at which time and place all persons interested in the subject thereof may be heard concerning the same, and it is further; ORDERED, that the Town Clerk of the Town of Covert is hereby authorized and directed to publish a copy of this Order in the Town's official newspaper and post a copy of the same on the signboard at the Town Offices, in the time and manner required by law.

Motion by: Councilman Vann, Seconded By: Councilman Bosman, Vote: Aye – Councilman Bosman, Aye- Councilman Waid, Aye- Councilman Vann, Aye- Councilman Hunt and Aye-Supervisor Reynolds. Motion Carried.

Councilman Hunt moved, seconded by Councilman Vann, to adjourn the meeting at 7:00 pm.

Respectfully submit, Town Clerk Colleen Freese

**TOWN OF COVERT  
SENECA COUNTY  
REGULAR TOWN BOARD MEETING  
DECEMBER 10, 2012**

Regular meeting of the Town Board of the Town of Covert was held Monday, December 10, 2012 at 7:00 p.m. at the Town of Covert Municipal Building, 8469 South Main Street, Interlaken, New York.

<b>Roll Call:</b>	Supervisor Michael Reynolds	Present
	Councilman Gary Hunt	Present
	Councilman Charles Bosman	Present
	Councilman Jeffrey Vann	Present
	Councilman Duane Waid	Present

**Others Present:** Town Attorney Patrick Morrell, Town Clerk Colleen Freese, Highway Superintendent, Jeffrey MacCheyne, Reporter Aneta Glover, and other interested citizens.

**Call to Order:**

Supervisor Reynolds called the meeting to order at 7:00 p.m. All rose for the pledge of allegiance.

**Approval of Minutes:** Hunt moved, seconded by Waid, that the November 12, 2012 regular meeting minutes and November 30, 2012 special meeting minutes be approved. Motion carried unanimously.

**Petitioner to the Board:**

Roxanne Gupta addressed the Town Board, about an article on America's secret fracking war. She stated there is a war going on that you know nothing about between a coalition of great powers and a small insurgent movement. This is going on in small hamlets in upstate New York. The weaponry may be humdrum, but the stakes could not be higher. Ultimately, the fate of the planet may be uncertain. I bring this to your attention and want you to know you are making history and are in a unique position. She is concerned about the resolution the board passed on Hydro-Fracking and asked that the board would attend a meeting on January 12, 2013 to educate themselves.

Barry Ford shared some pictures from A.R. Ingraffea of what the Town of Covert might look like if gas drilling was allowed. He talked about the grid pattern they use for gas drilling and how deep it goes into the land. This information is available on the Concerned Citizens of Covert website.

Councilman Bosman shared that the Volunteer Income Tax Assistance (VITA) program, that was a success last year would be offered again in 2013. VITA offers free tax assistance to people with an income of \$50,000.00 or below. They are looking for volunteers. He also shared that he talked to the Court Clerk about them submitting monthly income and expense reports for the court and he has set a date for January 14, 2012 to audit the Town Court books.

There was discussion on house number signs and Councilman Bosman asked the Board if they would mind him contacting some public official to see if they could help with funds for house number signs. Supervisor Reynolds also stated he was working with Jack Fulton on what it will cost to have the signs painted.

Town Attorney Patrick Morrell shared that the Board set the date for a public hearing on the proposal to establish an ambulance district. The hearing will be January 14, 2012 at 7:00 pm.

There was discussion on Trumansburg Board of Trustees ( the Village Board) intend to establish itself as Lead Agency for implementing SEQR requirements with respect to the project of drilling a well at Taughannock Falls State Park. This will provide and additional water source for the State Park and allow for interconnection with the village water systems.

Bosman moved, seconded by Vann, to approve the Village of Trumansburg Board of Trustees to assume lead agency for the Village of Trumansburg Water System Improvements Project. Councilman Bosman-Aye Supervisor Reynolds –Aye Councilman Vann- Aye, Councilman Waid-Aye and Councilman Hunt -Aye.

Vann moved, seconded by Waid, to approve the renewal of American Legion Post 770, Bell Jar Raffle. Councilman Hunt – Aye, Councilman Waid –Aye, Councilman Vann –Aye, Councilman Bosman-Aye Supervisor Reynolds -Aye.

Hunt moved, Seconded by Vann, that a General B Fund be included in the Town of Coverts Budget, for the line items that are outside of the Village. Councilman Waid –Aye, Councilman Vann –Aye, Councilman Bosman-Aye, Councilman Hunt-Aye and Supervisor Reynolds-Aye.

Bosman moved, seconded by Waid, to approve the amendments to the 2013 budget as presented. Councilman Waid –Aye, Councilman Vann –Aye, Councilman Bosman-Aye, Councilman Hunt-Aye and Supervisor Reynolds-Aye.

Hunt moved, seconded by Vann, to approve the Highway Superintendent monthly report for November 2012. Councilman Hunt – Aye, Councilman Waid –Aye, Councilman Vann –Aye, Councilman Bosman-Aye .

Waid moved, seconded by Vann, to approve the Supervisor revenue and expenditure report for November 2012. Councilman Hunt – Aye, Councilman Waid –Aye, Councilman Vann –Aye, Councilman Bosman-Aye .

aid moved, seconded by Hunt, to approve the Town Clerk monthly report for November 2012. A total of \$315.49 was remitted to the Town Supervisor. Councilman Hunt – Aye, Councilman Waid –Aye, Councilman Vann –Aye, Councilman Bosman-Aye .

Vann moved, seconded by Waid, that Highway Fund Vouchers #144-155 for \$16,295.26 and General Fund Vouchers # 191-210 for \$18,360.14 be approved for payment. Councilman Hunt – Aye, Councilman Waid –Aye, Councilman Vann –Aye, Councilman Bosman-Aye and Supervisor Reynolds-Aye.

Vann moved, seconded by Waid, to set the year-end meeting for December 27, 2012 at 6:00 pm. Councilman Hunt – Aye, Councilman Waid –Aye, Councilman Vann –Aye, Councilman Bosman-Aye Supervisor Reynolds -Aye.

Waid moved, seconded by Supervisor Reynolds, that the meeting be adjourned at 8:30 p.m.

Respectfully submitted,

Town Clerk, Colleen R. Freese

**TOWN OF COVERT  
TOWN BOARD YEAR END MEETING  
DECEMBER 27, 2012**

The yearend meeting of the Town Board of the Town of Covert was held Thursday, December 27, 2012 at 6:00 pm at the Town of Covert Municipal Building, 8469 South Main Street, Interlaken, New York.

**Roll Call:**

Supervisor Michael Reynolds	Present
Councilman Gary Hunt	Absent
Councilman Jeffrey Vann	Present
Councilman Charles Bosman	Present
Councilman Duane Waid	Present

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

**Call to Order:**

Supervisor Reynolds called the meeting to order at 6:00 p.m. All rose for the pledge of allegiance.

**Approval of Minutes:** Waid moved, seconded by Bosman, that the December 10, 2012 regular meeting minutes be approved. Motion carried unanimously.

AMENDMENT TO THE  
TOWN OF COVERT BUDGET  
RESOLUTION NO.15

**WHEREAS.** There is not sufficient amount of budgeted appropriations in some of the General Fund Budget lines to meet obligations of the Fund for the year 2012 and **WHEREAS,** in conformity with Town Law and good bookkeeping practices, accounts should not be over appropriated, be it **RESOLVED,** that the financial Officer is hereby authorized and directed to make transfers as noted below:

Motion: Bosman

Seconded: Waid

Vote: Aye- Reynolds, Aye -Waid, Aye- Bosman and Aye- Vann.

Account #	Account Title	over spent	Funds available	Funds to be used
1110.2	Justice Equipment	\$ 450.00		
1110.4	Justice Contractual		\$ 1,586.99	\$ 450.00
1420.1	Attorney payroll	\$ 2,000.00		
1420.4	Attorney contractual		\$ 650.00	\$ 650.00
1920.4	General Insurance		\$ 3,134.68	\$ 1,350.00
1650.4	Building Telephone	\$ 431.95		
1620.42	Building Utilities		\$ 679.50	\$ 431.95
3620	Inspections payroll	\$ 50.00		
3620.4	inspections cont.		\$ 369.50	\$ 50.00
5132.42	Garage Maintenance	\$ 2,576.86		
5132.43	Garage Fuel Oil		\$ 3,722.70	\$ 2,576.86

6510.5	Veteran's Memorial	\$	138.35		
1620.42	Building Maintenance			\$	535.36
				\$	138.35

<b>Total transfers</b>		<b>\$</b>	<b>5,647.16</b>		<b>\$ 5,647.16</b>
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AMENDMENT TO THE HIGHWAY FUND  
TOWN OF COVERT BUDGET  
RESOLUTION NO.16

**WHEREAS.** There is not sufficient amount of budgeted appropriations in some of the Highway Fund Budget lines to meet obligations of the Fund for the year 2012 and **WHEREAS,** in conformity with Town Law and good bookkeeping practices, accounts should not be over appropriated, be it **RESOLVED,** that the financial Officer is hereby authorized and directed to make transfers as noted below:

Motion: Bosman

Seconded: Waid

Vote: Aye- Reynolds, Aye -Waid,

Aye- Bosman and Aye- Vann.

<b>Account #</b>	<b>Account Title</b>	<b>over spent</b>	<b>Funds available</b>	<b>Funds to be used</b>
DA 5120.4	Bridges Contractual Machinery	\$ 1,424.49		
DA 5130.4	contractual		\$ 8,943.10	\$ 1,424.49
DA 9010.8	State Retirement	\$ 694.00		
DA 9010.8	Social Security		\$ 258.00	\$ 258.00
DA 9060.8	Health Insurance		\$ 492.10	\$ 436.00
	<b>Total DA Transfers</b>	<b>\$ 2,118.49</b>		<b>\$ 2,118.49</b>

**DB FUND TRANSFERS**

<b>Account #</b>	<b>Account Title</b>	<b>over spent</b>	<b>Funds available</b>	<b>Funds to be used</b>
DB 5112.4	Contractual Expenses	\$ 18,291.70		
DB 9010.8	State Retirement	\$ 3,400.00		
DB 5110.1	Personal Service		\$ 412.41	\$ 412.41
DB 5112.1	Personal Service		\$ 9,133.00	\$ 9,133.00
DB 5110.4	Contractual Expenses		\$ 35.63	\$ 35.63
DB 9030.8	Social Security		\$ 707.69	\$ 707.69
DB 9060.9	Health Insurance		\$ 2,688.94	\$ 2,688.94
DB 599	Reserve/Surplus			\$ 8,714.03
			\$ 12,977.67	
	<b>Total Transfers</b>	<b>\$ 21,691.70</b>		<b>\$ 21,691.70</b>

Waid moved, Seconded by Vann, to set the date for the Town of Covert's Organizational Meeting for January 14, 2012 at 7:00 followed by the Regular Town Board Meeting. Aye- Reynolds, Aye-Bosman, Aye-Vann and Aye- Waid.

Bosman moved, seconded by Vann, to approve the Interlaken Fire Contract for 2013. Aye-Bosman, Aye-Vann, Aye -Reynolds and Aye- Waid.

There was discussion on House number signs and the size the letters are required to be. Due to the fact these signs are for 911 numbering system, there is an exception in the address code for size of signs.

Waid moved, seconded by Bosman that the house number sign be made with the 3" letters and that Councilman Bosman apply for grants to see if they can get more funding for house number signs. Aye-Reynolds, Aye-Bosman, Aye- Waid and Nay-Vann.

Vann moved, seconded by Waid, to adjourn the meeting at 7:00 pm.

Respectfully submitted,

Colleen Freese, Town Clerk