TOWN OF BOLIVAR
Regular Meeting Minutes

May 21 2024

1. A Regular Monthly Meeting of the Town of Bolivar, NY was held on, May 21st, 2024, at 6:00 p.m., at the Bolivar Town Hall.

2. Call to order by Supervisor Gould with the Pledge of Allegiance 6:00 pm

3.

Present:	Ricky Gould	Supervisor
	Randy Iantorno	Councilperson/Deputy Supervisor
	Alyn MacDonell	Councilperson
	Bradley Schiralli	Highway Superintendent
	Ed Majot	Councilperson
	Amanda Gilliland	Town Clerk

4.

Absent:	Bud Wittenburg	Councilperson

5. Guests Present and Public Concerns:

Steve and Kevin Sikorski – Kansas Hollow Rd – came to speak to the Board about getting a sluice pipe redone on their property. Mr. Sikorski states that water was diverted to one side of the roadway and every time there is a bad storm, the driveway is washed out. The sluice pipe, that is being asked to be redone, is 60 feet away from the road. This means that it is out of Town's right of way. By Town Law, a town cannot do any type of work on private property. Therefore, the Town cannot legally work on the sluice pipe. Mr. Sikorski stated he would sign any paperwork that would hold the Town harmless. The Board gave Mr. Sikorski a copy of the response that Highway Superintendent received from the Association of Towns.
According to the response, Highway Law 147 states that if the sluice pipe, located out of the right of way, is in disrepair and is causing drainage issues for the town road, then is can be repaired by the Town but only with Board approval and approval from the county highway superintendent. Mr. Sikorski is asking that the Board take a look and also ask the county to come look as well, to determine if this sluice pipe issue is or will cause drainage problems on the road. Mr. Schiralli and Supervisor Gould will look at it and let the Sikorski's know what they decide.

Scott Fuller – Miller Hollow Rd – Mr. Fuller stopped in to inform the Board that he was withdrawing his cemetery maintenance bid, as he not interested in being contacted if the current cemetery caretaker is unable to continue.

Jeff & Ann Barnes – Kansas Hollow Rd – presented the Board a petition, signed by the residents on Kossuth Rd and Kansas Hollow, asking for 2 stop signs and a change in the speed limit on Kossuth. Mr. Barnes states speeding is a major problem and residents feel it will help to add a couple stop signs and reduce the speed limit. The Board asked if the State Police were ever contacted regarding the speeding. Mr. Barnes states they were called multiple times but no response.
Highway Superintendent said that Allegany County would have to be contacted to change the speed limit but the Town can put up stop signs. Supervisor Gould said he will contact the county to get things started for the speed limit change. The Board also advised to Barnes to continually contact the State Police in regards to speeding.

6. APPROVAL OF April 16th, 2024 REGULAR MEETING MINUTES

The minutes of the April 16th, 2024 meeting were read by the Board. A motion was made by Councilperson Iantorno, seconded by Councilperson Majot, to accept the minutes.

Aye – 4, Nay – 0, Absent - 1. Motion carried.

7. PAYMENT OF BILLS:

On a motion of Councilperson Iantorno, seconded by Councilperson MacDonell, that the bills be paid in the following amounts:

GENERAL FUND A Abstract, Vouchers #79-99	$24,014.50
GENERAL FUND B Abstract, Vouchers #3	$17.46
HIGHWAY FUND DA Abstract, Vouchers #37-43	$69,838.96
HIGHWAY FUND DB Abstract, Vouchers #10-18	$26,109.60
TOTAL	**$119,980.52**

Aye – 4, Nay – 0, Absent - 1. Motion carried.

8. APPROVAL OF BOLIVAR RICHBURG WATER DISTRICT ABSTRACTS FOR MAY 2024 TOTALING $20,229.12:

On a motion of Supervisor Gould, seconded by Councilperson MacDonell, to approve the abstract for the Bolivar Richburg Water District with the understanding that the payment to Pine Grove Collision might change, therefore the total on the abstract may differ*.

Aye – 4, Nay – 0, Absent - 1. Motion carried.

(* the abstract total for bills was updated to $19,675.86 after corrected payment to Pine Grove Collision)

- **Water board news:** Supervisor Gould informed that Board about findings from the inspection of the water tanks.

9. REPORT OF TOWN OFFICIALS:

- **Highway:** Highway Superintendent Brad Schiralli gave his report to the Board.
  The NYS budget was passed. The Town of Bolivar's 2024-25 chips budget is $159,632.32. This is close to the normal amount.
  Road projects schedule.
  -May 22 Put 4" gravel on Kansas Hollow.
  -May 28th Midland dry grind Kansas Hollow.
  -June 10th Three courses of oil and stone Midland Kansas Hollow.
  -August 19th final course for this year 1a stone Kansas Hollow.
  In between these dates we will be grading dirt roads, putting cold-patch down, and cleaning ditches.
  The town has taken delivery of the new 2024 Chevy 3500 crew cab 1 ton dump.
  Cemetery.
  The water has been turned on.
  We will be working on the fountain and topsoiling and seeding back newly dug graves.
  Possibly grade roads to take grass out of center but leave crowned. Millings?

Pool

Still waiting for New York State DOT to get back with us on whether they are going to be assisting with the sluice project at the pool or not? Rick will discuss the DOT thoughts on this and explore the use of their camera. Jeremy from DOT, spoke with Supervisor Gould and states that the 12-inch pipe, at the bottom by Water Plant Road, is only an issue if water is coming up out of the grate. Meaning, that the pipe is too small for the amount of water to go through. Mr. Gould explained that at the last weather event, there was too much water to be able to tell if that was occurring. DOT stated they have a camera available for use to see if there is any blockages and/or debris in the main section of the pipe up above the pool. Also, if the debris could be stopped before it enters the pipe, that would solve a lot of the issues. Mr. Schiralli will look into getting some railroad steel.

PESH Highway garage inspection.

Gary Sanders from New York State safety and health inspector was back out to our highway garage on May 13th. He will be coming back out the second week of June to do his final inspection. Need list of what still needs done.

Sluice pipe policy

I will be sending a separate email to all board members on several different towns in Allegany County and what they have for Sluice pipe policies.

Town truck at auction

The 2016 Ford 1-ton was listed on Teistworth auction and winning bid was $11,200 without plow. If winner would like plow included then it will be $12,200.

- **Code Enforcement**- No report for April submitted. 1 certified letter delivered by Allegany County Sheriffs to Fountain's on Beers Hollow Rd.

- **Assessor Report**- Assessor Elderkin provided a report for April 2024

- **Town Clerk:** The Clerk report for April was handed out to the board. Check #2087 for $2,456.65 was deposited in the General A Fund. Also issued by the clerk's Office were 3 permanent handicap permit, 1 temporary handicap permit, and 2 notarized documents.

PAID TO SUPERVISOR FOR GENERAL A FUND	$2,456.65
PAID TO SUPERVISOR FOR GENERAL B FUND	$0
PAID TO NYS DEC FOR DECALS	$94.48
PAID TO NYS AG & MARKETS FOR ANIMAL POPULATION CONTROL FUND	$33.00
PAID TO NYS HEALTH DEPT FOR MARRIAGE LICENSE	$22.50
PAID TO COUNTY TREASURER FOR LANDFILL	$266.00
TOTAL DISBURSEMENTS	**$2,872.63**

On a motion made by Councilperson Iantorno, seconded by Councilperson Majot, to approve the clerk's report for April.

Aye – 4, Nay – 0, Absent - 1. Motion carried.

- **Justice:** Justice Gilliland submitted his monthly report to the Board for the month of April. Check #1033 for $1,371.00 was deposited into the General A fund.

- **Dog Control**: no report was submitted for April.

10. <u>OLD BUSINESS:</u>

- Town Hall Lease Agreement w/ Village of Bolivar
  On a motion made by Supervisor Gould, seconded by Councilperson MacDonell, the Town Hall Lease Agreement with Village of Bolivar was approved.
  Aye – 4, Nay – 0, Absent – 1. Motion carried.
  Clerk will give agreement to the Village of Bolivar for approval of agreement.

- Cemetery Maintenance agreement – tabled until next time

- Town lawyer **–** tabled until next time

- Court Clerk - Justice Gilliland spoke with the Board regarding his desire to hire a court clerk. He stated it would be easier have the clerk have access to the Town as she already does this for the Village. The Board agreed.

  <u>RESOLUTION 5-2024 TO HIRE A COURT CLERK WITH A SALARY RATE OF $175.00 A MONTH</u>

  On a motion made by Councilperson Iantorno, seconded by Councilperson MacDonell, the following resolution was ADOPTED Aye – Gould, Aye – MacDonell, Aye – Iantorno, Aye – Majot, Nay – None, Absent – Wittenburg.

  RESOLVED to hire a court clerk with a salary rate of $175 per month.

11. <u>NEW BUSINESS</u>

- **Wildlife study:** the Board ok'd the placement of cameras on bridges for the purpose of the wildlife study.

- **Sluice Pipe Policy update:** tabled until next time

- **Whole town re-evaluation:** the Board looked over the current equalization rates and agreed that a whole town re-evaluation of properties is necessary.

- **Cemetery trees next to Hardy (1000.1-4): family would like 2 trees taken down** – family is responsible to take the trees down with an insured contractor, naming the Town for comp.

12. A motion to adjourn the meeting at 8:18 p.m. was made by Councilperson Iantorno, seconded by Councilperson Majot.
Aye – 4, Nay – 0, Absent - 1. Motion carried.

Respectfully Submitted,

Amanda Gilliland,
Town Clerk