

OVID TOWN BOARD
Regular Monthly Meeting
MARCH 13, 2013

The regular meeting of the Ovid Town Board was called to order at 7:00pm by Town Supervisor Walt Prouty, Also present were Councilmen John Hubbard, Mark Beardsley, and Joe Borst, Town Clerk James Vangalio, Deputy Town Clerk Michele Vangalio, Highway Superintendent Jack Wickham, Bookkeeper Donalie Kelly, members of the press and other interested citizens.

Minutes of the February 13, 2013 meeting were approved, as written, with a motion by Councilman Borst, a second by Councilman Beardsley and approval by all.

Petitioner to the Board, David Dresser spoke to the Board regarding the latest on hydrofacking.

Highway Superintendent Jack Wickham presented his report. Jack told the board he had received a donation form Mrs. Morrison of forms etc. for the Highway Departments use. Jack requested a thank you be sent to her. Jack's Transfer Station report was also presented.

The Town Clerk's Report and moneys collected for February were accepted into the record. As Land Use Officer, the Town Clerk reported on activity with land use permits within the town.

Board Members received the Bookkeeper's report.

Supervisor Prouty presented his report. With a motion by Councilman Hubbard, a second by Councilman Beardsley and approval by all the Board approved the Cayuga Lake Triathlon's request to hold their event on the Town's roads. Supervisor Prouty presented a resolution regarding the repeal of the Safe Act. Walt reported that he had sent a letter to the Village regarding obtaining a right of way for the Town to be able to park behind the building after the sale.

Planning Board member Paul Engineri addressed the Board regarding the Planning Board. It was agreed to hold a joint meeting with the Planning Board to discuss the survey.

Councilman Hubbard read Councilman Flood's report regarding the Planning Board and the Farm Bureau.

Councilman Hubbard presented his reports regarding EMS and Fire Departments.

Councilman Beardsley presented his report regarding the Assessment Department.

Councilman Borst presented his reports regarding the Highway Department and Transfer Station Councilman Borst read a letter from Justice VanCleaf announcing the resignation of his Court Clerk Angela Champion. With a motion by Councilman Borst, a second by Councilman Hubbard and approval by all the Board accepted the resignation of the Court Clerk effective March 27th.

With a motion by Councilman Borst, a second by Councilman Beardsley and approval by all the Board passed Resolution 10-2013 appointing Michael Nash to the Planning Board.

With a motion by Councilman Beardsley, a second by Councilman Borst and approval by all the Board passed Resolution 11-2013 appointing Chris Verrill to the Board of Assessment Review.

With a motion by Councilman Hubbard, a second by Councilman Borst and approval by all the Board authorized the Clerk to advertise for mowing bids for the cemeteries, park, and Town Barns.

With a motion by Councilman Hubbard, a second by Councilman Borst and approval by all the Board approved Resolution 12-2013, asking for the repeal of the Safe Act.

Councilman Beardsley announced the “ Burn Ban” will be in effect from March 15th thru May 15th.

With a motion by Councilman Flood, a second by Councilman Borst and approval by all the Board following the Audit of the bills, Vouchers #61-95 were approved for payment with a motion by Councilman Beardsley, a second by Councilman Borst, and approval by all, for Abstract #3 for \$55,656.99.

Supervisor Prouty adjourned the meeting at 8:01pm with a motion by Councilman Hubbard, a second by Councilman Borst, and approval by all.

Respectfully Submitted,

James E. Vangalio

James E. Vangalio
Ovid Town Clerk

**TOWN OF OVID
7160 MAIN STREET
OVID, NY 14521**

BOARD MEETING

MARCH 13, 2013

TOWN OFFICES

7:00PM

AGENDA

CALL TO ORDER

PLEDGE TO THE FLAG AND A MOMENT OF SILENCE

APPROVAL OF MINUTES FEBRUARY 13, 2013 MEETING

PETITIONERS TO THE BOARD

REPORTS:

HIGHWAY SUPERINTENDANT
TRANSFER STATION
TOWN CLERK-
CODE ENFORCEMENT
BOOKKEEPER
SUPERVISOR
PLANNING BOARD
TRANSFER STATION COMMITTEE
BRIAN FLOOD- PLANNING BOARD AND FARM BUREAU
JOHN HUBBARD- FIRE AND EMS
MARK BEARDSLEY- ASSESSMENT
JOE BORST- HIGHWAY DEPARTMENT
OTHER

UNFINISHED BUSINESS

PLANNING BOARD APPOINTMENT
BOARD OF ASSESSMENT REVIEW APPOINTMENT

NEW BUSINESS

ADVERTISE FOR MOWING BIDS FOR CEMETERIES, SHELDRAKE PARK, AND TOWN
HIGHWAY BARNS

MOTION TO RECESS TO REVIEW VOUCHERS

MOTION TO RECONVEYNE

MOTION TO APPROVE PAYMENT OF VOUCHERS

SPECIAL ORDER OF THE DAY

Town of Ovid
RESOLUTION

NO. 10- 2013

RESOLUTION TO APPOINT PLANNING BOARD MEMBER

Whereas, New York State statutes governing municipal planning boards require that members serve defined terms, and

Whereas, the Town of Ovid Planning Board consists of seven members, each serving a seven-year term, and

Whereas, New York State statutes permit municipal planning board members to be appointed by their respective Town Board, and

Whereas, the term of Paul Engineri has expired, and

Whereas, public notice of the opening on the Town of Ovid Planning Board has been given and interested individuals have applied for the position,

Resolved, that the Town of Ovid Board hereby appoints Michael Nash to a seven-year term on its Planning Board, effective this date.

Moved *Joseph Borst* Seconded *Mark Beardsley*

Passed 4-0 Certified *James Vangalio*

James Vangalio – Town Clerk

Dated March 13, 2013

Town of Ovid
RESOLUTION

NO.11- 2013

RESOLUTION TO APPOINT BOARD OF ASSESSMENT REVIEW MEMBER

Whereas, New York State statutes governing Boards of Assessment Review require that members serve defined terms, and

Whereas, the Town of Ovid Board of Assessment Review consists of three members, each serving a five-year term, and

Whereas, New York State statutes permit Board of Assessment Review members to be appointed by their respective Town Board, and

Whereas, the five-year term of Charles Baldwin has expired, and

Whereas, public notice of the opening on the Town of Ovid Planning Board has been given and interested individuals have applied for the position,

Resolved, that the Town of Ovid Board hereby appoints Chris Verrill to a five-year term on it's Board of Assessment Review, effective this date.

Moved Mark Beardsley Seconded Joseph Borst

Passed 4-0 Certified James Vangalio

James Vangalio – Town Clerk

Dated March 13, 2013

RESOLUTION 2013-12 CALLING FOR THE REPEAL OF THE NEW YORK SAFE ACT OF 2013

By: The Ovid Town Board

WHEREAS, the New York State Legislature recently enacted and Governor Andrew Cuomo signed into law The New York Secure Ammunition and Firearms Enforcement Act of 2013 (“NY SAFE ACT”); and

WHEREAS, the Legislation is viewed by many citizens of the State of New York as Being extremely controversial as those citizens view this Legislation as infringing upon their rights guaranteed to them under the second Amendment of the United State Constitution; and

WHEREAS, each and every issue that comes before the New York State Legislature before an enactment deserves a fair and open discussion which incorporates all points of view in order to ensure that all citizens are heard and that the Legislation incorporates the various points of view expressed during that discussion and benefits all of the citizens of the State of New York; and

WHEREAS, the NY SAFE ACT was adopted after minimal public discussion contains Serious flaws, I .e. police officers are not exempt and having been on the desks of the Members of the New York State Legislature for only a few hours, thereafter was literally adopted in the night and signed into law by Governor Andrew Cuomo; and

WHEREAS, in 2011 amendments were made to the Open Meetings Law (Public Officers Law Section 103), requiring a public body prior to a meeting to post on its website, to the extent practicable, for public benefit all records that may be considered or discussed at that meeting; and

WHEREAS, A. 107 has been pre-filed before the New York State Assembly for the 2013-2014 Regular Session, to amend the Public Officers Law (Sections 84 and 90) in relation to publishing records of public interest by agencies and the State Legislature, reading in part "...The people's right to know the process of governmental decision-making and to review the documents and statistics leading to determination is basic to our society. Access to such information should not be thwarted by shrouding it with the cloak of secrecy or confidentiality..." and

WHEREAS, the State of New York has a tradition and long history of conducting its deliberations and debates in the public view and that in the enactment of the NYS SAFE ACT the New York State Legislature and Governor Andrew Cuomo acted in contradiction of this long, time honored tradition of an open government, and

WHEREAS, the members of the Ovid Town Board at their regular meeting held March 13, 2013 at Ovid, New York wish to express their concern that any legislation which addresses the ownership of guns and the sale of ammunition in the State of New York be conducted only after an open debate pursuant to which the public is allowed to participate and express their points of view, now, therefore be it

RESOLVED, that the Ovid Town Board calls for the repeal of The New York Secure Ammunition and Firearms Enforcement Act of 2013 ("NY SAFE ACT");

RESOLVED, that the Ovid Town Board support the positions adopted by resolution from the New York State County Clerk's Association the State Sherriff's Association.

RESOLVED, that the Ovid Town Board hereby directs that certified copies of this resolution be forwarded to Governor Andrew Cuomo, members of the New York State Legislature, NYSAC, NACo, New State Association of Towns, and each New York State County.

Moved By *John Hubbard* Seconded By *Joseph Borst*

Dated March 13, 2013 Town Clerk *James E. Vangalio*
James E. Vangalio

Ayes 4 Nays 0