

Village of Fleischmanns
Board Meeting
January 11, 2010

The Village of Fleischmanns Board of Trustees held their regular Village Board meeting on Monday, January 11, 2010 at the Skene Memorial Library at 6:00 p.m. Present were: Mayor David Morell, Todd Pascarella, Fred Woller and Martin Morales.

Announcement

Mayor Morell announced that Harriet L. Grossman was appointed Village Trustee of the Village of Fleischmanns and welcomed her back to the Village Board. Mayor Morell addressed the public advising that Ms. Grossman was recommended to him by people he very much respected. In his efforts to move forward, he overlooked that the former Board was responsible for bringing about a great deal of stability and servility to the process of the Fleischmanns' government. He formally acknowledged their efforts towards that and thanked Harriet Grossman for coming on & being a public servant.

Rubin/Schneiderman Easement

Village Attorney, John Fairbairn, Esq. advised that a Release of Easement had been properly filed January 11, 2010 by and between the Village of Fleischmanns and David Schneiderman and Anita Rubin in connection with two (2) easements over certain real estate bearing Tax Lot Number 287.13-1-26; an easement dated Nov. 19, 2002, an unrecorded document and an easement dated June 4, 2004 recorded March 8, 2005 in Liber 1096 of Deeds at Page 240 in the Delaware County Clerk's Office. The Release will be signed by Mayor David Morell and the Village Clerk. After proper recording, the Release of Easement will be forwarded to Kenneth Ayers, Esq. for David Schneiderman and Anita Rubin.

A copy of the Release of Easement is attached to these minutes.

Delaware Operations

Lou Dibble of Delaware Operations discussed inquires as to sewer invoices and billing. Discussion began with the property located at 790 Main Street wherein the owners had requested further explanation of their bill. Mr. Dibble forwarded an account of how the billing was calculated. A letter was also received from Elaine Wadler requesting an exemption from hooking up & from paying her sewer bill declaring a financial hardship; the house is currently unoccupied. Mr. Dibble advised that exemptions had not been awarded in the past if a house was unoccupied. Mr. Dibble recommended that the Board not grant an exemption in this instance. Mr. Dibble advised the Board he would draft a letter for signature.

An inquiry was also received from KEIKIM Properties of 1130 Main Street, the former Atlas Gateway building. The owners recently closed on this property, however, the past sewer billing was not taken care of during the closing so there is an outstanding balance which showed up their January sewer bill. KEIKIM Properties is requesting that the past due charges be waived & that the Village begin billing them from the end of November, 2009 when they took ownership. Mr. & Mrs. O'Brien advised that generally municipal water and sewer are billed together & they were not aware there was an outstanding sewer balance due. They also advised that the property had been vacant and uninhabitable. The plumbing in the building had been destroyed and was not operational. There was no sewer use and there was no sewer connection. Installation of the new plumbing is in process, but has not yet been completed. They expect the plumbing to be completed and operational sometime in Feb. 2010. At that time, they will have the water turned on & will then be utilizing the sewer. In light of all that, they thought it was unfair for the Village of Fleischmanns to penalize them by collecting sewer rent on a building that was vacant, uninhabitable, had no working plumbing and was not connected to the sewer during the time period specified. Mr. O'Brien expressed that even though the

Village is run down and many of the buildings are dilapidated, they still believed that perhaps they could make a difference in the Village by locating a new business here (The Tinderbox LLC) and purchasing and renovating one of the many neglected vacant buildings in the Village. They chose Fleischmanns & would hope that others would follow suit.

Mayor Morell suggested that as of today, no further penalties be assessed so that this issue can be given time for consideration. Concurrently, the Business Advocacy Group is addressing business incentives for the Village & the Mayor Morell advised the Village would act as quickly as possible to resolve the matter.

Mr. Dibble advised that an inquiry was received from the Northland Motel. Their sewer billing is based on water usage which varies year to year depending on the amount of water they use. Mr. Kalra claims he should not have to pay what goes through the meter as pool water. It still needs to be determined where the water goes when the pool is emptied. Mr. Dibble will contact Mr. Kalra & survey the pool operation.

A call was received from Mark Kugler of Oakland Land Co. Inc., new owner of property located at 803 Main Street, Fleischmanns. The property was purchased for taxes at a County sale in July and question arose as to a past due sewer balance and delinquent taxes.

Additionally, a letter received George Bauer of 128 Switzerland Avenue declaring that his house was dilapidated & not a candidate for reconstruction. He thought that demolition might be the only sensible solution & he is requesting an exemption to the sewer hookup requirement as it would serve no useful purpose.

The CEO, Patrick Davis, did a visual inspection of the exterior of the structure & it didn't appear to be dilapidated to the extent to issue an unsafe structure violation. No inspection was done of the interior of the structure which may be worse than the exterior. If the owner feels that the structure is dilapidated to the extent it is no longer a candidate for reconstruction, then he can obtain a demolition permit and remove the structure within 6 months of this date and there would be no need for a sewer connection at this time.

When the owner decides to build a new structure, they will be required to obtain sewer usage approval from the Village prior to a building permit being issued and the connection can be made at that time.

Purchase Orders

Motion made by Fred Woller to approve the following purchase orders for January, 2010 for Delaware Operations: APC Replacement Battery for PLC Battery Back-Up, total cost of request \$169.43, reason for purchase: battery back-up run's and protects the computer system and PLC during interruptions in power; Slack Chemical , 25% sodium hydroxide, 55 gal. drums. 220 gal. at \$1.44/gal, total cost of request \$316.80, reason for purchase: chemicals used in the treatment process; Slack Chemical for chlorine bleach, 55 gal. drums, 110 gal. at \$2.55/gal, total cost of request \$280.50, reason for purchase: chemicals used in the treatment process; chlorine DPD 10mL-100 tests MC-34447, 3 @ \$18.25, pH Probe Storage solution, MC-40450, 2 @ \$12.10, total cost of request: \$78.95 plus shipping, reason for purchase: process control, used to check chlorine residual during lab testing. Motion seconded by Martin Morales. Fred Woller-Aye. Martin Morales-Aye. Dave Morell-Aye. Todd Pascarella-Aye. Martin Morales-Aye. Harriet L. Grossman-Aye. All in favor. Motion so carried.

Preventative Maintenance

Delaware Operations is starting to put together the preventative maintenance contracts for various pieces of equipment. There is the Air Compressor Engineering Preventative Maintenance Contract to service three air compressors at the WWTP & the Pump Station at a cost of \$998.00; a \$23.00 increase over what was paid last year. We have a Preventative Maintenance Contract from Atlantic Power Systems who do the preventative maintenance on the generator & the transfer switches at the facility and the pump station amounting to \$1879.00 for two visits per year. This is the same price paid last year. We have a Preventative Maintenance Agreement for Hach to insure continuous operation of instrumentation and process control equipment. This contract has increased

\$131.00 from the 2009 contract. These new contracts will go into effect in April when the new budget goes into effect.

Monthly Report/Dec. 2009

Mr. Dibble advised the daily output of the plant was 19,400 gallons. Everything was within permit limits. There were no alarms & minimal equipment and materials purchased in Dec.

Workshop/Feb. 25, 2010

The Village Board of Trustees decided to hold a workshop on Monday, Jan. 25, 2010 at 5:00 p.m. on overall Village budgeting, cost savings, and goals.

Delaware Engineering

Water/Schneider Avenue & Depot Street

John Brust of Delaware Engineering advised in regard to the water, he had given Mayor David Morell the certificate of title that NYS EFC requires. The bid date has been pushed back on the next contract from the 8th of Jan. to the 19th. The contracts for the well house have been split up in order to get better pricing and give some work to local contractors. This may require a Special Meeting since we only have 4 months to get the work done before Memorial Day weekend.

We did receive comments from DOH, which were minor.

John Brust advised the Village had a grant from CWC for the Schneider Ave. culvert & they have agreed to increase the funding. The contractor, Southern Tier Enterprise, is now vendex approved. Their first bill should arrive next week. We are in the 1st phase now which is not very large and will wait till the June 15th deadlines to start phase II.

A directional bore was done under the highway taking three weeks. The hydrant is to be replaced.

**Public Hearing/Adoption of the East Branch
Delaware River Stream Corridor Management
Plan (SCMP)**

Motion made by Martin Morales to hold a Public Hearing on the adoption of the East Branch Delaware River Stream Corridor Management Plan on Monday, February 8, 2010 at 5:45 p.m. Motion seconded by Fred Woller. Martin Morales-Aye. Fred Woller-Aye. David Morell-Aye. Todd Pascarella-Aye. Harriet L. Grossman-Aye. All in favor. Motion so carried.

**Resolution/
Election Polling Place**

At the Regular Village Board meeting
Of the Board of Trustees of the
Village of Fleischmanns, New York
Held at the Skene Memorial Library
On Monday, January 11, 2010 and

Upon motion made by Fred Woller and seconded by Todd Pascarella, the following resolution was duly adopted:

Whereas, the next General Village Election for officers will be held on Tuesday, March 16, 2010 and

Whereas, the Board of Trustees of the Village of Fleischmanns according to Election Law Sec. 15-104 (3) must designate by resolution the polling place in each district and the hours the polls will be open,

Now Therefore, Be It Resolved, that the Village Board of Trustees designate the Skene Memorial Library, 1017 Main Street, Fleischmanns, New York 12430 as the official polling place in District 1 for voting in the Village of Fleischmanns' Election and

I, Lorraine DeMarfio, Village Clerk of the Village of Fleischmanns do hereby certify that the foregoing is a true & correct transcript of a resolution adopted by the Board of Trustees of the Village of Fleischmanns, New York on January 11, 2010 and the whole thereof.

Lorraine DeMarfio, Village Clerk
Village of Fleischmanns

Motion made by Harriet L. Grossman to adopt the above resolution. Motion seconded by Fred Woller. Harriet L. Grossman-Aye. Fred Woller-Aye. David Morell-Aye. Todd Pascarella-Aye. Martin Morales-Aye. All in favor. Motion so carried.

Referencing discussions with the Town of Middletown, Paul DeSimone recommended the Village forward a copy of the Village's Comprehensive Plan to the Town of Middletown so that we can all work together.

Minutes Approval/Dec. 14, 2010

Motion made by Todd Pascarella to approve the minutes of Dec. 14, 2010. Motion seconded by Fred Woller. Todd Pascarella-Aye. Fred Woller-Aye. David Morell-Aye. Martin Morales-Aye. Harriet L. Grossman-Abstained. Motion so carried.

Part Time Accountant Report/Nov. 30, 2009

Motion made by Martin Morales to approve the Part Time Accountant Report prepared by Russell Schebesta ending November 30, 2009. Motion seconded by Fred Woller. Martin Morales-Aye. Fred Woller-Aye. David Morell-Aye. Todd Pascarella-Aye. Harriet L. Grossman-Abstained. Motion so carried.

Complaint/O'Brien

Mr. Keith O'Brien complained that the building owned by William Hrazanek located right next door to 1130 Main Street.

He has addressed this with the CEO, Carl Patrick Davis, several times & advised that he get a structural engineer to check the building to see if the building is in danger. Mr. O'Brien's concern was that the building itself is unsafe. The building is tipped and leaning. He stated it was presently unoccupied. Mr. O'Brien spoke with families when they were still in the building and they said they were leaving because when the wind blew really hard they could feel the upper part of the building move. Mr. O'Brien will forward written documentation in writing to the Village for its records.

Vouchers/January 2010

Motion made by Martin Morales to pay the following vouchers for the month of January, 2010: General Fund, Abstract # 50, Voucher # 219 totaling \$126.02, General Fund, Abstract # 53 Vouchers # 220 through 238 totaling \$13,243.14; General Fund, Abstract # 54, Voucher # 239 through 248 totaling \$8,382.02; Water Department Fund, Abstract # 12, Voucher # 35 totaling \$20,000.00, Water Department Fund, Abstract # 13, Vouchers # 36 through 39 totaling \$600.41; Water Project Fund, Abstract # 6, Vouchers # 9 through 10 totaling \$1,383.10; Sewer Department Fund, Abstract # 8, Vouchers # 81 through 89 totaling \$20,295.18; Capital Reserve Fire Truck Fund, Abstract # 1, Voucher # 1 totaling \$17,691.83. Motion seconded by Fred Woller. Martin Morales-Aye. Fred Woller-Aye. David Morell-Aye. Todd Pascarella-Aye. Harriet L. Grossman-Aye. All in favor. Motion so carried.

Adjourn

Motion made by Fred Woller to adjourn. Motion seconded by Todd Pascarella. Fred Woller-Aye. Todd Pascarella-Aye. David Morell-Aye. Martin Morales-Aye. Harriet L. Grossman-Aye. All in favor. Motion so carried.