

Village of Fleischmanns
Public Hearing
February 8, 2010

The Village of Fleischmanns Board of Trustees held a Public Hearing on Monday, February 8, 2010 at 5:45 p.m. at the Skene Memorial Library to take and hear comments regarding the adoption of the East Branch Delaware River Stream Corridor Management Plan (SCMP). Present were: Mayor David Morell, Deputy Mayor Todd Pascarella, Fred Woller, Martin Morales and Harriet L. Grossman.

This document is the culmination of a planning process that has incorporated the input of numerous watershed stakeholders including community members, local officials, representatives from county agencies and other interested parties. The goals of the SCMP are to:

- a) Safeguard the health and prosperity of the people living in the watershed;
- b) Engage watershed communities in stream management;
- c) Conserve and enhance stream corridor health; and
- d) Provide a framework for addressing stream management issues and projects.

Kent Manuel, representative from the Delaware County Planning Board, and Jessica Rall, a representative from the Delaware County Soil I& Water Conservation District, advised that an essential part of SCMP implementation is its review and adoption by municipal boards in the watershed. Through the review and adoption process, DCSWCD and DCPD seek to familiarize communities with the SCMP, and the Stream Corridor Management Program, help communities understand how to use the SCMP to access funding and technical assistance for stream management projects and invite representatives of Delaware County towns and villages to join the PAC, to ensure that SCMP implementation accomplishes community goals.

All questions from the public were answered.

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

Village of Fleischmanns
Board Meeting
February 8, 2010

The Village Board of Trustees held their regularly scheduled Board meeting immediately following the close the Public Hearing.

Resolution

Adoption of the East Branch

Delaware River Stream Corridor Management Plan

At the Regular Village Board Meeting
Of the Village of Fleischmanns, New York
Held at the Skene Memorial Library on
Monday, February 8, 2010 and

Upon motion made by Harriet L. Grossman and seconded by Fred Woller, the following resolution was duly adopted:

Whereas, the Delaware County Soil and Water Conservation District (DCSWCD) and New York City Department of Environmental Protection (NYCDEP) have worked closely with a local Project Advisory Committee, the Village of Fleischmanns and other watershed stakeholders to develop the East Branch Delaware River (EBDR) Stream Corridor Management Plan (SCMP) which takes a science based, long term management approach to the streams in the basin; and

Whereas, the Delaware County Board of Supervisors declared lead agency for the adoption of both plans and coordinated the environmental review with the other involved agencies, towns, and villages as a Type 1 action under 6 NYCRR Part 617 of the State Environmental Quality Review Act (SEQRA); and

Whereas, the Delaware County Board of Supervisors issued a negative declaration under SEQRA for the adoption of the EBDR SCMP, Resolution No. 206, on October 22nd, 2008; and

Whereas, the Delaware County Board of Supervisors have adopted the EBDR SCMP by Resolution No. 207, on October 22nd, 2008; and

Whereas, the EBDR SCMP addresses water quality and economic vitality issues as defined by local communities and regional experts; and

Whereas, the Village of Fleischmanns has adopted and supports the goals of the Delaware County Action Plan for water resource protection; and

Whereas, the Village of Fleischmanns has adopted and supports the goals of the Delaware County All-Hazards Mitigation Plan; and

Whereas, the DCSWCD and the Village of Fleischmanns recognize that the EBDR and its tributaries are a key element of the identity of the Pepacton Reservoir watershed; and

Whereas, the DCSWCD and the Village of Fleischmanns have worked cooperatively on stream management issues relevant to both public and private interests; and

Whereas, the DCSWCD and the Village of Fleischmanns desire to work cooperatively to implement the EBDR SCMP for the common benefit of both parties, protection of the natural resources and the interests of the broader watershed stakeholders;

Now, Therefore, Be It Resolved The Village of Fleischmanns recognizes, and adopts the East Branch Delaware River Stream Corridor Management Plan as a guidance document that can assist the Village and its landowners with addressing long term management of the East Branch watershed in a manner that is consistent with the protection of public and private property, the protection of natural resources, goals and strategies for water quality protection, and economic opportunities as defined in the plan, and in a way that will provide the Village of Fleischmanns, its landowners and visitors with multiple benefits.

Lorraine DeMarfio, Village Clerk
Village of Fleischmanns

Dated: February 8, 2010
State of New York)
)ss:
County of Delaware)

I, Lorraine DeMarfio, Village Clerk of the Village of Fleischmanns, New York, do hereby certify that the foregoing is a true and correct transcript of a resolution adopted by the Board of Trustees of the Village of Fleischmanns, New York on February 8, 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.

Authorization/Memorandum of Understanding

Motion made by Todd Pascarella to authorize David Morell, Mayor of the Village of Fleischmanns, to sign the Memorandum of Understanding for Implementation of the West Branch Delaware River Stream Corridor Management Plan. Motion seconded by Fred Woller. Todd Pascarella-Aye. Fred Woller-Aye. Harriet L. Grossman-Aye. Martin Morales-Aye. All in favor. Motion so carried.

Mark Project/Peg Ellsworth

Peg Ellsworth advised that Mark was getting ready to re-submit the NY Main Street proposal due in April making sure to address all shortfalls from last spring’s proposal. A resolution will be required to re-apply.

There will be a meeting held this Wednesday evening at 5:00 p.m. at La Cabana for mixed use businesses on Main St. Mark is also working with the BAG to help build the economic climate of Fleischmanns.

Peg Ellsworth attended a meeting working with Cooper, Robertson & Partners in conjunction with Alan Sorenson on design guidelines for Fleischmanns which are a direct recommendation of the comprehensive plan and will bode well on the NY Main Street proposal.

Peg Ellsworth has been spending one on one time with business owners to gauge the needs everyone has which will be documented in a written report with potential recommendations & actions that will foster a healthier business climate; all playing a role in the Main Street Program.

Announcements should be made concerning the Park application within the next couple of weeks.

The Re-Store Design Challenge is a renovation competition event for villages and hamlets in the Delaware County region of the Catskill Mountains. The challenge is intended to provide an opportunity for municipalities to renovate vacant storefronts, boost tourism, garner press attention, generate foot traffic, and encourage landlords and business owners to capitalize on the overlooked potential of these main streets. The location for the competition will be chosen through a competitive application process determined by the administrator. Applications are due May 1st and the winner selected by May 15th. Design teams consist of a local designer, builder or craftsman, artist & high school senior. The teams adhere to the following rules: renovations of entire width and 15' depth of storefront, design simulates a retail establishment including fixtures and merchandise, designers have budget of \$1,000.00, designers are not to begin work until 30 days prior to event, design teams have two days to install design, storefronts are publicly accessible for four weekends and non-permanent design elements are removed after competition.

The municipality must contact the property owners and Mark will list the property owners as additionally insured.

There are three (3) designers who picked up the RFP for the Fleischmanns Website. Presently one will be met with.

Delaware Operations/Lou Dibble

Motion made by Harriet L. Grossman to approve the following purchase orders: Slack Chemical, chlorine bleach, 55 gal. drums, 55 gal. at \$2.55/gal., total cost of request \$140.25, reason for purchase chemicals used in the treatment process; Chemical Tubin, MD-62428, 1 at \$158.00, Suction Tubing, MD-28889, 1 at \$122.00, total cost of request \$280.00 plus shipping, reason for purchase sample tubing; Slack Chemical, bulk coagulant (PAC), gal., 300 gal. at \$2.49/gal., total cost of request \$747.00, reason for purchase: chemicals used in the treatment process; Hach Company, sulfuric acid titrate solution 23497-32, two at \$10.85, bromocresol green reagent, 943-99, three at \$13.45, total cost of request \$78.00, reason for purchase: process control in facility lab. 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.

Monthly Report

Mr. Dibble advised there was nothing unordinary for the month. They are in a batch mode operation right now with the flows being down. The average daily discharge is about 22,000 gallons for the month of January, 2010. No weather issues reported to date.

Billing Inquiries

Mr. Dibble advised he had presented the Board with some draft letters dealing with 128 Switzerland Avenue, 27 Ellsworth Avenue & 1164 Main Street. An inquiry was received from the Northland Motel requesting a water credit. The water from his pool goes through the water meter & that number is used to calculate his sewer bill. He claims that since the water does not go back into the sewer, he should be given credit for that water. The owner claims he dumps the chlorinated water on the ground. Mr. Dibble is calculating that he is probably using 50,000 gallons a year & doesn't empty his pool completely, so most of it is evaporation loss during the summer.

Mayor Morell requested further investigation be done to determine where the water is coming from and where the pipes are.

Delaware Engineering

**Resolution/ Award Contract
Water Project**

At the Regular Village Board Meeting
Of the Village of Fleischmanns, New York
Held at the Skene Memorial Library on
Monday, February 8, 2010 and

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

Whereas, the Village of Fleischmanns is making improvements to its water supply and distribution system using a combination \$3,000,000.00 in loans and grants from NY State; and

Whereas, improvement of water supply sources is a portion of the project; and

Whereas, the Village authorized Delaware Engineering to prepare Bid Plans and Specifications for wells at the Village Park and a new structure at the Village Pool; and

Whereas, the Village advertised for public bids and opened those bids on January 19, 2010; and

Whereas, Delaware Engineering has recommended award of a Contract for five of the seven contracts bid;

Be It Resolved that the Village of Fleischmanns approves:

1. Award a contract to Hubble Inc. \$127,251.00 for Site Construction
2. Award a contract for Directionally Bored Pipe to Lash Contracting for \$46,900.00
3. Award a contract for Building Construction Richard Wakeman for \$131,700.00
4. Award a contract for Water Well Service Titan Well Drilling for \$40,806.00
5. Award a contract for Electrical work Blizzard Electric for \$54,800.00

Lorraine DeMarfio, Village Clerk
Village of Fleischmanns

Dated: February 8, 2010

State of New York)
)ss:
County of Delaware)

I, Lorraine DeMarfio, Village Clerk of the Village of Fleischmanns, New York, do hereby certify that the foregoing is a true and correct transcript of a resolution adopted by the Board of Trustees of the Village of Fleischmanns, New York on February 8, 2010 and the whole thereof.

Lorraine DeMarfio, Village Clerk
Village of Fleischmanns

Motion made by Martin Morales to approve the above resolution. 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.

Minutes Approval/January 11, 2010

Motion made by Fred Woller to approve the minutes of January 11, 2010. Motion seconded by Todd Pascarella. Fred Woller-Aye. Todd Pascarella-Aye. David Morell-Aye. Fred Woller-Aye. Martin Morales-Aye. Harriet L. Grossman-Aye. All in favor. Motion so carried.

Part Time Accountant Report/Month Ending Dec. 31, 2009

Motion made by Todd Pascarella to approve the Part Time Accountant's Report for the month ending Dec. 31, 2009 as submitted by Russell Schebesta. Motion seconded by Fred Woller. Todd Pascarella-Aye. Fred Woller-Aye. David Morell-Aye. Martin Morales-Aye. Harriet L. Grossman-Aye. All in favor. Motion so carried.

Resolution**Village Registration Day & Village Election Day**

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, February 8, 2010 and

Upon motion made by Martin Morales and seconded by Harriet L. Grossman, the following resolution was duly adopted:

Whereas, Village Election Law Section 15-118-(4) provides that the Village Board of Trustees adopt a resolution stating the date, place, and hour at which inspectors shall meet to prepare the register for the Village Election and the hours and place of registration and election,

Therefore, be it resolved that the Board of Trustees of the Village Fleischmanns directs that the Village voting inspectors shall meet to hold Village Registration Day and prepare the voting register at the Skene Memorial Library, 1017 Main Street, Fleischmanns, New York 12430 on March 6, 2010. Preparation of the register will begin at 10:00 a.m. and formal registration of voters will begin at 12:00 noon until 5:00 p.m. The Village of Fleischmanns Board of Trustees is designating the Skene Memorial Library as the official polling place for the upcoming Village Election to be held March 16, 2010 and the polls will be open for voting purposes from noon until 9:00 p.m.

Dated: Feb. 8, 2010

Lorraine DeMarfio, Village Clerk and
Village Election Official

State of New York)
)ss:
County of Delaware)

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 on February 8, 2010 and the whole thereof.

Lorraine DeMarfio, Village Clerk
Village of Fleischmanns

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

Bicycle

Trustee Fred Woller advised he attended a meeting on Tuesday with Bike & Peak & they suggested developing a route through Fleischmanns for bike riders. Bikes would come up Old Rte. 28, around Main Street, up Wagner Avenue & back down past the park & then back up on to Old Rte. 28 & back out again. Any ideas are welcome. The event will be held May 22, 2010.

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 on February 8, 2010 and the whole thereof.

Lorraine DeMarfio
Village Clerk
Village of Fleischmanns

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

Proposed Local Law # 1 of 2010

The following Introductory Local Law No. 1 of 2010 was read aloud:

A Local Law Amending the Zoning Law of the Village of Fleischmanns to Require Site Plan Review for Certain Actions in Furtherance of the Implementation of the Village's 2009 Comprehensive Plan.

Be It Enacted by the Board of Trustees of the Village of Fleischmanns, New York as follows:

Section 1. Legislative Intent.

The Board of Trustees of the Village of Fleischmanns adopted the Fleischmanns Comprehensive Plan on December 14, 2009. Said plan recommended various Zoning Map and Zoning Text Amendments. The Village Board has appointed a Zoning Review Committee to draft these recommended revisions to the Zoning Law. The proposed Zoning Law revisions are anticipated to take six or more months to enact. The Board of Trustees finds and determines that the amendment contained in this Local Law will enhance the land use policies of the Village by ensuring that non-residential and multi-family housing developments are subject to Site Plan Review by the Planning Board. The amendment contained in this Local Law will strengthen the protection of natural resources, expand housing choices, protect property values and enhance and protect the physical appearance of the community. It will do so by ensuring that the design and arrangement of proposed developments are compatible with surrounding land uses and are consistent with the recommendations of the Village's 2009 Comprehensive Plan.

Section 2. Amendments.

Section 7.6 (B) of the Village of Fleischmanns Zoning Law is hereby deleted and repealed and the following is hereby enacted in its place and stead:

7.6 Site Plan Review

B. Applications

All applications for building permits, or special permits, except for one and two family dwellings and their permitted accessory uses or any addition to a single family dwelling shall be accompanied by a site plan approval. No building permit shall be issued until all the requirements of this law have been met.

Section 3. Savings Clause.

If any clause, sentence, paragraph, section or part of this Local Law shall be adjudicated by any court of competent jurisdiction to be invalid, such judgment shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 4. Effective Date.

This local law shall take effect upon its filing with the Secretary of State.

Public Hearing/LL # 1 2010

Motion made by Todd Pascarella to a Public Hearing on Monday, March 8, 2010 at 5:45 p.m. at the Skene Memorial Library on proposed Local Law # 1 of 2010, a Local Law Amending the Zoning Law of the Village of Fleischmanns to Require Site Plan Review for Certain Actions in furtherance of the Implementation of the Village's 2009 Comprehensive Plan. Motion seconded by Fred Woller. Todd Pascarella-Aye. Fred Woller-Aye. David Morell-Aye. Martin Morales-Aye. Harriet L. Grossman-Aye. All in favor. Motion so carried.

Workshop/Budget

Motion made by Fred Woller to hold a Budget Workshop on Monday, March 1, 2010 at 3:30 p.m. 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.

Executive Session/Litigation

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

Open Session

Motion made by Fred Woller to go back into open session. Motion seconded by Harriet L. Grossman. Fred Woller-Aye. Harriet L. Grossman-Aye. Dave Morell-Aye. Todd Pascarella-Aye. Martin Morales-Aye. All in favor. Motion so carried.

Vouchers

Motion made by Fred Woller to approve the following vouchers for the month of February, 2010: General Fund, Abstract # 59, Voucher # 249 totaling \$255.00; General Fund, Abstract # 60, Vouchers # 250 through 271 totaling \$10,244.64; Water Dept. Fund, Abstract # 14, Vouchers # 40 through 42 totaling \$519.73; Sewer Department Fund, Abstract # 9, Vouchers # 90 through 97 totaling \$25,473.38; Watershed Infrastructure Fund, Abstract # 2, Voucher # 2 totaling \$53,000.00, Watershed Infrastructure Fund, Abstract # 3, Voucher # 3 totaling \$791.50; Water Project Fund, Abstract # 7, Voucher # 11 totaling \$16.99. Motion seconded by Martin Morales. Fred Woller-Aye. Martin Morales-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 Harriet L. Grossman. Fred Woller-Aye. Harriet L. Grossman-Aye. David Morell-Aye. Todd Pascarella-Aye. Martin Morales-Aye. All in favor. Motion so carried.