

Village of Fleischmanns
Public Hearing
April 12, 2010

The Village of Fleischmanns Board of Trustees held a Public Hearing on a proposed new Flood Damage Prevention Law at 5:35 p.m. at the Skene Memorial Library. Present were: Mayor David Morell, Deputy Mayor Todd Pascarella, Martin Morales, Fred Woller and Harriet L. Grossman.

Public Hearing/Proposed Flood Damage Prevention Law

Proposed Local Law # 2 of 2010 was based on the law currently in effect in the Village of Fleischmanns known as Local Law # 1 of 1994. The new law was intended to repeal Local Law # 1 of 1994 commonly known as the “Village of Fleischmanns Flood Damage Prevention Law” and replace it with a revised “Village of Fleischmanns Flood Damage Prevention Law. The sole change was to amend the person authorized with enforcing the law and reviewing/issuing permits from the Village of Fleischmanns Board of Trustees to the Village Code Enforcement Officer.

There were no objections or questions from the public as to adopting the above law.

Closing of Public Hearing/Flood Damage Law

Motion made by Todd Pascarella to close the Public Hearing on proposed Law # 2 of 2010 Flood Damage Prevention Law. Motion seconded by Martin Morales. Todd Pascarella-Aye. Martin Morales-Aye. David Morell-Aye. Harriet L. Grossman-Aye. All in favor. Motion so carried.

Public Hearing/Proposed Sewer Use Law

At 5:45 p.m. the Village Board of Trustees proceeded to open the Public Hearing on the Proposed Local Law # 3 of 2010, the Sewer Use Law which is based on the law currently in effect in Fleischmanns known as Local Law # 1 of 2005. A change was made in the proposed law to remove the requirement that the person running the sewer treatment plant be a licensed engineer; and a changing of the person designated with the enforcement requirements from the superintendent of the plant to the Village Code Enforcement Officer. Under Section II, the most notable changes are simply having the Building Inspector as the enforcement agent, rather than the Superintendent of the plant because the Building Inspector has jurisdiction and ticket issuing authority. Other small changes are made and are underlined in the new proposed law, but nothing that significant. According to Village Attorney, John Fairbairn, Esq. if the Village Board votes to pass the proposed Sewer Use Law, the New York City Dept. of Environmental Protection will need to review the law to ensure their satisfaction. However, an authorized DEP representative has advised that the outlined proposed changes would not present an impediment to DEP approval.

Discussion was had during the public hearing about the changes proposed to the Sewer Use Law. The new definition of Superintendent did not specifically require that the Superintendent still be required to be licensed by the state; it only required that he or she be “qualified.” The omission of the “licensed” requirement from the definition of Superintendent presented a problem. The Trustees are concerned that without that specifically being included in the definition that the Village could get into trouble, even though New York State Law otherwise requires that the operator of the sewer plant be licensed. No object was raised regarding the enforcement changes or that the Superintendent no longer was required to be an engineer. The Board directed the Village Attorney to research, re-draft and present the updated and final version of the sewer use law at the Village Workshop scheduled for April 19, 2010 at 5:00 p.m. The public hearing was adjourned.

Closing of Public Hearing/Sewer Use Law

Motion made by Todd Pascarella to close the Public Hearing on the proposed Sewer Use Law. 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.

Public Hearing/Proposed Tentative Budget/2010-11

The Hearing on the 2010-11 Budget was opened to the public. Margaret Kearney questioned the amount of the unallocated reserve and/or slush funds of the Village along with the amount of funds remaining and/or used by the Village in the Old Fire Hall fund. Mrs. Kearney also commented that the Feb. 2010 report was over budget & requested that the bank account balance sheets be attached to the monthly reports on display in the Library. Mayor Morell advised that the Village would be over budget based on the snow removal & other unexpected expenditures, but would wait to comment based on receipt of a more current report from the bookkeeper. The tax rate was to remain the same at 12.87% per thousand. Mayor Morell advised there was to be a 2% raise for the employees. Question arose as to line # 88 Grant writing/Consulting. Last year the Village contracted for \$20,000.00 with the Mark Project & for 2010-11 it's proposed at \$11,000.00. Peggy Ellsworth advised that the \$4,000.00 or \$5,000.00 allocated for John Sachel last year who worked with the Village crew was put in a restricted account. Line 126 was addressed as to the amount allocated for recreational expenses and line # 64, the contractual expenses for the Mayor. Discussion was also addressed as to the amounts collected for current & delinquent taxes and the procedural steps in adoption of the budget.

Closing of Public Hearing/2010-2011

Motion made by Harriet L. Grossman to close the Public Hearing on the 2010-2011 budget. Motion seconded by Martin Morales. Harriet L. Grossman-Aye. Martin Morales-Aye. David Morell-Aye. Todd Pascarella-Aye. Fred Woller-Aye. All in favor. Motion so carried.

Mayor Morell proceeded to open the regular Village Board meeting at 6:23 p.m.

Local Law # 2 of 2010/Flood Damage Prevention Law

Motion made by Martin Morales to adopt Local Law # 2 of 2010 the Flood Damage Prevention Law as presented. 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.

Sewer Use Law

Motion made by Harriet L. Grossman to table the proposed Sewer Use Law. Motion seconded by Todd Pascarella. Harriet L. Grossman-Aye. Todd Pascarella-Aye. David Morell-Aye. Martin Morales-Aye. Fred Woller-Aye. All in favor. Motion so carried.

Proposed Tentative Budget 2010/11

Motion made by Todd Pascarella to table any decision as to the proposed tentative budget for 2010-11. Motion seconded by Harriet L. Grossman. Todd Pascarella-Aye. Harriet L. Grossman-Aye. David Morell-Aye. Martin Morales-Aye. Fred Woller-Aye. All in favor. Motion so carried.

Peg Ellsworth/Mark

Peg Ellsworth presented a report for the purposes of determining value for time on grant writing and Fleischmanns Projects. The report is on file in the Village Office. Peg Ellsworth advised everyone that the application to NYS Office of Parks Recreation & Historic Preservation was not selected for funding in this round. Mayor Morell & Peg Ellsworth are looking into the shortfalls of the application. The next funding round is to be out by May 1st with an early July deadline.

Peg Ellsworth met with Mayor Morell, Todd Pascarella & Jeanine Pascarella as to playground issues. They are trying to develop smaller projects which may be able to be funded on the local foundation level to keep the enthusiasm for the Park Project moving along.

Mark resubmitted the NYS Main Street application which is on file in the Village Clerk's Office. That will be an August announcement.

Further discussion was held as to the BAG, the Restore Application, and the Bushkill possibly being listed as an inland waterway. Saturday, April 17, 2010 is scheduled for Fleischmanns Clean up at 9:00 a.m. with everyone meeting in front of the Gazebo.

Delaware Engineering

Alan Tavenner reported on the construction at the new wells. The piping in front of the park was completed & the grading and leveling of the steps were removed in preparation of putting in the handicapped ramp. The concrete work was started & they are going to the 1st floor later this week. The electric & phone lines were moved for the concrete excavation work.

To give more room, the building was moved back and reoriented a little & as a result 2 of the 5 bathrooms were removed off the end of the structure. There were no delays in the schedule. Two (2) corner posts should be placed at the end of each property; the original bid had three (3) posts; around the gate post & the center posts. In order to control the costs, they have looked at using cultured stone to make it a little more attractive on the face of the tank & the front of the pool building.

The net cost for adding the two posts from Hubble is about \$3300.00 each which will result in a \$6600.00 increase. If we go to the cultured stone rather than the natural stone, then we can do the two end stones plus the tank for about \$6800.00 which can be taken out of the project contingency.

We need to directionally bore the pipe in the park from one point to the other end. The only disturbance comes when we start & end the pipe & we are also going to have to dig up around the well heads.

The Village Water Superintendent, Michael Myers, has also approached the engineers as to doing a leak survey on the Village's water main.

Delaware Operations

Purchase Orders

Motion made by Harriet L. Grossman to approve the following purchase orders for the month of April, 2010: 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; Galeton gloves, case of latex gloves, 20 boxes at \$6.95 per box, total cost of request \$139.00 plus shipping, reason for purchase: personal protection in lab and around the plant; General Controls Preventive Maintenance Agreement for 2010 to service SCADA Computer, and Electronic Instrumentation at the Facility, SCADA = (Supervisory Control and Data Acquisition), total cost of request \$3,000.00, reason for purchase: To insure continuous operation of SCADA computer, instrumentation and process control equipment; 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; 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. 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

Lou Dibble of Delaware Operations advised that the Regis Hotel has a new calibrated water meter which is being read on a regular basis. Mr. Dibble presented a listing of sewer bills that were over one year delinquent. The delinquencies will be levied on the upcoming Village tax bills. An up-dated listing will be provided by Delaware Operations nearing the end of April. An up-dated listing has also been made of those who have not hooked up to the WWTP.

A report was put together as to possible solar use at the WWTP. The total cost for installing solar panels at the WWTP was \$134,000.00. There was a \$35,000.00 grant from NYSERTA which brought the cost down to \$99,000. There would also be a federal tax credit & depreciation benefits which do not apply to the Village. They had the costs down to \$32,000.00, but when you add back the depreciation benefits and the federal tax credit doesn't apply to the Village, we are back to the \$99,000. That would result in a total cost of \$100,000.00 to save about \$3100.00 a year. Trustee Pascarella asked Mr. Dibble to find out if NYC would contribute their share of the costs.

Delaware Operations, Inc.

Motion made by Martin Morales to approve and authorize the Mayor to sign the proposed O & M contract renewal between the Village of Fleischmanns and Delaware Operations, Inc. Motion seconded by Harriet L. Grossman. Martin Morales-Aye. Harriet L. Grossman-Aye. David Morell-Aye. Martin Morales-Aye. Fred Woller-Aye. All in favor. Motion so carried.

Workshops

The Village Board of Trustees agreed to scheduling workshops on the 4th Monday of each month at 3:00 p.m. The 1st workshop is to be held Monday, April 19, 2010 at 5:00 p.m.

Cinco De Mayo

Motion made by Harriet L. Grossman to hold Cinco De Mayo celebration on Saturday, May 8, 2010 in the Village parking lot from 10:00 a.m. till 4:00 p.m. Motion seconded by Todd Pascarella. Harriet L. Grossman-Aye. Todd Pascarella-Aye. David Morell-Aye. Fred Woller-Aye. Martin Morales-Aye. All in favor. Motion so carried.

Fire Department/Rouster

Motion made by Todd Pascarella to approve the rouster list of the Fleischmanns Vol. Fire Department members as presented by the Fire Chief, Todd Wickham: Marshall Bouton, Nicky Bouton, Danny Cella, Grnt Cure, Al Doubrava, Dora Earl, Creg Finch, peny Finch, Sonya Finch, Brian Grocholl, Billy Haynes, Marcus Hougen, Ashley Johnsmeyer, Kaitlyn Johnsmeyer, Leslie Johnsmeyer, Tim Johnsmeyer, Timothy Johnsmeyer, Jr., Kip Johnson, Leland Johnson, Isaiah Keator, Ronicka Manon, Luke Merwin, Tom Miller, Walter Miller, Herb Moran, Tim Petry, Charles Pultz, Kim Searle, Tom Stratton, Peg Van Sicen, Bob Van Valkenburgh, Jackie Van Valkenburgh, Karl Von Hassel, Mark West, Melissa Wheeler, Joshua Wickham, Kimberly Wickham, Matthew Wickham, Tim Wickham and Todd Wickham pending receipt of a list stating who has not taken the essential Fire Department training. Motion seconded by Martin Morales. Todd Pascarella-Aye. Martin Morales-Aye. David Morell-Aye. Harriet L. Grossman-Aye. Fred Woller-Aye. All in favor. Motion so carried.

Fire Department/Liaison

Motion made by Harriet L. Grossman to appoint Village Trustee Fred Woller as liaison to the Fleischmanns Vol. Fire Dept. Motion seconded by Todd Pascarella. Harriet L. Grossman-Aye. Todd Pascarella-Aye. David Morell-Aye. Martin Morales-Aye. Fred Woller-Abstained. Motion so carried.

Sidewalk/Complaint

The following letter dated March 8, 2010 from Margaret C. Kearney read as follows:
 This is my yearly letter regarding the sidewalk in front of 527 Main Street. I am sure that you have in your file the other nine letters regarding this sidewalk. I have told you that it is in bad condition, that people have fallen on the sidewalk and that it needs to be replaced. As I've also stated each year the sidewalk deteriorates more and more and this year is no exception. I cannot see a good deal of the sidewalk as the snow is piled on it but what I can see is terrible. As I've also said I believe that part of the reason the walk deteriorates rapidly is that the salt and other chemicals from the road make it break up. When the snow from the road is piled on the sidewalk the road chemicals are left on the walk as the snow melts. There are now holes that collect water and of course when the temperature drops to freezing these are very slippery.
 I am again bringing this sidewalk to your attention not only because it is almost impossible to walk on it, most of the people now walk in the road, but because of the liability regarding the walk should someone fall and be seriously injured. I do hope you will consider fixing the walk.

Fleischmanns First Art Projects

Yvonne Reuter approached the Village Board seeking permission for The Art Projects Committee developed through the Fleischmanns First organization to work on a public art project.

The project consists of painting a mural on all four sides of the snack shack at the Wagner Ave. ball field. It will incorporate children & adults from the Village &

surrounding area. The children will be asked to draw and submit pictures of what their ideas and fantasies would be for the building. Fred Woller, the Art Director, will work together with other professional artists to interpret the drawings. The professional artists will draw their interpretations on the building. The artists will then supervise all

volunteer adults and children to help with the paintings. The project has been developed to enhance both public and private buildings, fences, and business facades as well as bringing together community spirit.

Motion made by Todd Pascarella to approve the above project. 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.

2nd Annual Catskill Cup Tennis Tournament/Mark Birman

Motion made by Martin Morales to hold the 2nd Annual Catskill Cup Tennis Tournament on July 30, 2010, July 31, 2010 and August 1, 2010 with a rain date scheduled for the following weekend. Motion seconded by Todd Pascarella. Martin Morales-Aye. Todd Pascarella-Aye. David Morell-Aye. Martin Morales-Aye. Fred Woller-Aye. All in favor. Motion so carried.

Minutes/March 8, 2010

Motion made by Todd Pascarella to approve the minutes of March 8, 2010. Motion seconded by Harriet L. Grossman. Todd Pascarella-Aye. Harriet L. Grossman-Aye. David Morell-Aye. Martin Morales-Aye. Fred Woller-Abstained. Motion so carried.

Minutes/April 5, 2010

Motion made by Fred Woller to approve the Special Meeting minutes of April 5, 2010. Motion seconded by Martin Morales. Fred Woller-Aye. Martin Morales-Aye. Todd Pascarella-Aye. Harriet L. Grossman-Aye. David Morell-Abstained. Motion so carried.

Part Time Accountant's Report/February 28, 2010

Motion made by Todd Pascarella to table approval of the Feb. 28, 2010 Part Time Accountant's Report for the month ending Feb. 28, 2010 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.

Catskill Collaborative

John Duda advised that the Catskill Collaborative meeting was held at the Skene Memorial Library on March 25, 2010 and was a great success.

Vouchers/April, 2010

Motion made by Todd Pascarella to pay the following vouchers for the month of April, 2010: Sewer Department Fund, Abstract # 12, Vouchers # 109 through 121, totaling \$24,556.82;

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

Adjourn

Motion made by Todd Pascarella to adjourn. 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.