

Village of Fleischmanns
Special Meeting
August 9, 2011

The Village of Fleischmanns Board of Trustees held a Special Meeting at the Skene Memorial Library on Tuesday, August 9, 2011 at 10:00 a.m. Present were: Mayor David Morell, Harriet L. Grossman, Fred Woller and Benjamin Fenton. Trustee Todd Pascarella was absent.

Dog Issue

Mayor Morell addressed the Village Board advising that Warren Slavin's dog Whitie, was the only problem dog in the Village. Mayor Morell has personally contacted Warren Slavin around three (3) times about the dog; he called him to come and get the dog off Main Street. The Village has received complaints about Mr. Slavin's dog from Schneider Avenue, all the way to the other end of town. The Village learned yesterday that people are not coming to the Fleischmanns' Village pool, especially if they have children, because of Warren Slavin's dog, whose temperament is not always friendly. He attacked Chris Belaski's dog, Dozer, twice at the Village park, and chases pickup trucks in the road. The Village Clerk had written to Warren Slavin awhile back advising that the dog should be on a leash, but also that the dog could get hurt badly running free through the streets. About two weeks after that letter went out from the Village, Whitie was hit by a car and ended up with a broken hip.

Mayor Morell has called the Village Attorney, John Fairbairn, as to what the Village can do. The State Police first say it's not their jurisdiction, or they have no power to do anything. According to the Village Attorney, that is incorrect. At one point in time the Dog Warden, Verna Dietrick, advised she would be Dog Warden in Fleischmanns at a fee of \$200.00 a month. The Village could file suit for loss of revenue at the pool. The Village will have Attorney John R. Fairbairn look into the issue. Discussion arose as to why Fleischmanns is not eligible for dog warden services through the Town of Middletown since Middletown collects all license fees from Fleischmanns. It was suggested that perhaps the Village approach the Town of Halcott to see if they can share services with Fleischmanns for a dog warden. Further discussion was held as to the cat situation in the Village, shared services with Halcott, Middletown & the County.

Conversation was held with the Village Attorney as to the Dog Leash Law & the shared service contract that the Village has with Middletown. Mr. Fairbairn stated there is very little statutory authority that deals with this case. Essentially opinions from the Attorney General and the State Comptroller indicate that if a Village does not collect the license fees, they might be able to push the enforcement on the overseeing Town where they are collecting the fees. Question arose if a portion of Fleischmanns' Town taxes pay for dog enforcement; because Middletown collects our licensing fees.

It was basically decided that the Village would contact Halcott to see about shared services and the Village Attorney would look into the Village of Fleischmanns Dog Law.

Motion made by Fred Woller to table the dog issue pending research. Motion seconded by Harriet L. Grossman. Fred Woller-Aye. Harriet L. Grossman-Aye. David Morell-Aye. Fred Woller-Aye. Todd Pascarella-Absent.

Delaware Operations/Lou Dibble

Lou Dibble advised the Village Board that Delaware Operations had done a complete review of all the files and found four (4) more properties that were not connected to the sewer. The properties were: Verizon located on Wagner Avenue tax parcel # 287.17-3-35, Konstantin Stefanis tax parcel # 287.17-3-30, which was in litigation, VWP Inc. William Hrazanek's property located at Depot Street and Wagner Avenue tax parcel # 287.17-3-2, and Roy Todd at 133 Armstrong Park, tax parcel # 287.18-2-6. Lou Dibble will advise the Village as to whether or not these properties are being billed for sewer. Based on advice from the Village Attorney, Lou Dibble will send out letters this afternoon requesting the hookups within thirty (30) days and verify that they are being billed.

Lou Dibble discussed the purchase of equipment to prevent some larger substance matter items from reaching the grinder pump.

Flood Hazard Mitigation

All Board members were given copies of informational forms to be completed. Each municipality that participates in the Update to the Multi-Jurisdiction Hazard Mitigation Plan will be able to receive benefits and other expectations for participation. The Village Board will meet with the CEO, Patrick Davis, Town Supervisor Lenny Utter, Mayor Stanton, and Delaware County on Thursday, Aug. 11, 2011 at the Town Hall at 1:00 p.m. for review.

Executive Session/Personnel

Motion made by Benjamin Fenton to go into Executive Session. Motion seconded by Fred Woller. Benjamin Fenton-Aye. Fred Woller-Aye. David Morell-Aye. Harriet L. Grossman-Aye. (Mayor Morell left temporarily to meet with Catherine Skalda of Delaware County Soil and Water & did not get to vote) Motion so carried.

Open Session

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

Depot Street

Mayor Morell advised the Village Board that the Village received a permit to facilitate the proposed riparian plantings and beautification of the City's flood-buyout property on Depot Street and Bush Kill (Tax Parcel # 286.20-2-7) in the Village. A split rail fence will have to be put up and NYC will reimburse the Village for the entire cost.

Motion made by Dave Morell that Victoria Quesada be the official point of contact for the Village in connection with the beautification of the above tax parcel. Motion seconded by Benjamin Fenton. David Morell-Aye. Benjamin Fenton-Aye. Todd Pascarella-Aye. Harriet L. Grossman-Aye. Fred Woller-Aye. All in favor. Motion so carried.

Pool Parties

The Village Board discussed the issues of insurance coverage and sufficient lighting at the Village pool for night swimming and the associated costs. Since the lighting at the Village pool at present is not sufficient for night swimming, people might possibly be asked to start their party a little earlier while light is still available.

Workshop

Motion made by Benjamin Fenton to hold a Workshop on August 10, 2011 at 4:00 p.m. Motion seconded by Fred Woller. Benjamin Fenton-Aye. Fred Woller-Aye. David Morell-Aye. Todd Pascarella-Aye. Harriet L. Grossman-Aye. All in favor. Motion so carried.

Adjourn

Motion made by Benjamin Fenton to adjourn. Motion seconded by Harriet L. Grossman. Benjamin Fenton-Aye. Harriet L. Grossman-Aye. David Morell-Aye. Todd Pascarella-Aye. Harriet L. Grossman-Aye. All in favor. Motion so carried.