

Village of Fleischmanns
Board Meeting
April 9, 2012

The Village of Fleischmanns Board of Trustees held a Public Hearing on Monday, April 9, 2012 at the Skene Memorial Library at 6:00 p.m. Present were: Mayor Todd Pascarella, Benjamin Fenton, Fred Woller and Harriet L. Grossman.

Public Hearing/Local Law # 1 of 2012

Mayor Todd Pascarella opened the Public Hearing on Local Law # 1 of 2012, a proposed local law for Flood Damage Prevention. Kent Manuel from the Delaware County Planning Board was present to explain the proposed law to the public which adopts the new law recommended by New York State Department of Environmental Conservation in order to maintain the community's eligibility to participate in the National Flood Insurance Program. The proposed law includes up-dated flood insurance rate maps.

Motion made by Fred Woller to close the public hearing on proposed Local Law # 1 of 2012. Motion seconded by Harriet L. Grossman. Fred Woller-Aye. Harriet L. Grossman-Aye. Todd Pascarella-Aye. Benjamin Fenton-Aye. All in favor. Motion so carried.

Mayor Todd Pascarella proceeded to open the regular Village Board Meeting announcing he had been appointed Mayor of the Village of Fleischmanns at a meeting held Thursday, April 5, 2012.

**Delaware County Soil & Water
Richard Weidenbach**

Mr. Weidenbach gave a presentation to the Village Board & the public in connection with the USDA-Natural Resources Conservation Service (NRCS) who provide technical and financial assistance to communities for restoring watersheds ravaged by natural disasters. Through the Emergency Watershed Protection (EWP) program, NRCS helps safeguard people & property following natural disasters such as floods, fires, wind storms, earthquakes and draughts. Measures eligible for assistance include repairing existing channels and protecting stream banks. This assistance protects homes, businesses, and other properties from further damage of subsequent storms. NRCS provides financial assistance up to 75% of costs for installing eligible emergency treatments. Sponsors of EWP projects determine priorities for emergency assistance and coordinate work with other federal and local agencies.

Mr. Weidenbach discussed construction specifications, stabilization guidelines, and plans of operation towards initiating work at the Switzerland Avenue river bank and down towards Mill Street.

Mr. Weidenbach answered all questions from the Village Board and the public present.

Motion made by Fred Woller to authorize Mayor Todd Pascarella to sign the Project Agreement for the Emergency Watershed Program offered by the USDA Natural Resources Conservation Service, pending that the 25% match has been committed by the Delaware County Soil & Conservation District and that the landowner consent has been given on the projects. Motion seconded by Harriet L. Grossman. Fred Woller-Aye. Harriet L. Grossman-Aye. Todd Pascarella-Aye. Benjamin Fenton-Aye. All in favor. Motion so carried.

Delaware Operations/Jim Buchan

Monthly Report/March 2012

Jim Buchan presented the monthly report to the Village Board for the month of March, 2012. At this time the WWTP is running through most of the month at a reduced rate of flow and discharges effluent flow from the facility almost every day of the week. Operators continue to monitor the pump station and the collection system on a daily basis.

Purchase Orders/WWTP

Motion made by Todd Pascarella to approve the following purchase orders for the month of April, 2012:

Hach Control Instruments Yearly Contract, total cost of request: \$1,886.00, reason for purchase: maintain good working condition on site equipment; Slack Chemical, chlorine bleach, 55 gal. drums, 110 gal. at \$2.55/gal, total cost of request: \$281.00, reason for purchase: chemicals used in the treatment process; 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, 60% magnesium hydroxide, 55 gal. drums. 220 gal. at \$3.70/gal., total cost of request: \$814.00, reason for purchase: chemicals used in the treatment process, these drums weigh seven to eight hundred pounds per drum and are difficult to receive during winter months with the ground ice.; Service Contract, Atlantic Detroit Diesel Yearly Generator Contract, total cost of request: \$1,725.00, reason for purchase: maintain good working condition of on site equipment. (This contact is \$173.00 lower than 2011; Service Contract, Air Compressor Engineering Yearly Contract, total cost of request: \$1,030.00, reason for purchase: maintain good working condition of on site equipment (this contract is \$20.00 higher than 2011). Motion seconded by Benjamin Fenton. Todd Pascarella-Aye. Benjamin Fenton-Aye. Harriet L. Grossman-Aye. Fred Woller-Aye. All in favor. Motion so carried.

Executive Session/Personnel

Motion made by Todd Pascarella to go into executive session. Motion seconded by Fred Woller. Todd Pascarella-Aye. Fred Woller-Aye. Benjamin Fenton-Aye. Harriet L. Grossman-Aye. All in favor. Motion so carried.

Open Session

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

Organizational Appointments:***Chief Fiscal Officer/Todd Pascarella***

Motion made by Benjamin Fenton to appoint Mayor Todd Pascarella as Chief Fiscal Officer of the Village of Fleischmanns. Motion seconded by Fred Woller. Benjamin Fenton-Aye. Fred Woller-Aye. Harriet L. Grossman-Aye. Todd Pascarella-Abstained. All in favor. Motion so carried.

Deputy Mayor/Benjamin Fenton

Mayor Todd Pascarella appointed Benjamin Fenton as Deputy Mayor of the Village of Fleischmanns.

Fair Housing Officer/Benjamin Fenton

Motion made by Todd Pascarella to appoint Benjamin Fenton as Fair Housing Officer of the Village of Fleischmanns. Motion seconded by Harriet L. Grossman. Todd Pascarella-Aye. Harriet L. Grossman-Aye. Fred Woller-Aye. Benjamin Fenton-Abstained. Motion so carried.

Village Attorney/John R. Fairbairn, III

Motion made by Todd Pascarella to appoint John R. Fairbairn, III as Village Attorney. Motion seconded by Benjamin Fenton. Todd Pascarella-Aye. Benjamin Fenton-Aye. Harriet L. Grossman-Aye. Fred Woller-Aye. All in favor. Motion so carried.

Part Time Account Clerk/Russell Schebesta

Motion made by Fred Woller to appoint Russell Schebesta as Part Time Account Clerk of the Village of Fleischmanns for a two year term. Motion seconded by Harriet L. Grossman. Fred Woller-Aye. Harriet L. Grossman-Aye. Todd Pascarella-Aye. Benjamin Fenton-Aye. All in favor. Motion so carried.

Water Superintendent/Michael Myers

Motion made by Fred Woller to appoint Michael Myers as Water Superintendent of the Village of Fleischmanns. Motion seconded by Harriet L. Grossman-Aye. Fred Woller-Aye. Harriet L. Grossman-Aye. Todd Pascarella-Aye. Benjamin Fenton-Aye. All in favor. Motion so carried.

Highway Superintendent/Fred Woller

Motion made by Todd Pascarella to appoint Fred Woller as Highway Superintendent of the Village of Fleischmanns for a one year term. Motion seconded by Benjamin Fenton. Todd Pascarella-Aye. Benjamin Fenton-Aye. Harriet L. Grossman-Aye. Fred Woller-Abstained. Motion so carried.

Bond Counsel/Paul Riechel, Esq.

Motion made by Harriet L. Grossman to appoint Paul Riechel, Esq. of Bond, Schoeneck & King as Bond Counsel for the Village of Fleischmanns for a term of one year. Motion seconded by Benjamin Fenton. Harriet L. Grossman-Aye. Benjamin Fenton-Aye. Todd Pascarella-Aye. Fred Woller-Aye. All in favor. Motion so carried.

Registrar of Vital Statistics/Harriet L. Grossman

Motion made by Todd Pascarella to appoint Harriet L. Grossman as Vital Statistics Registrar of the Village of Fleischmanns for a term of one year. Motion seconded by Benjamin Fenton. Todd Pascarella-Aye. Benjamin Fenton-Aye. Fred Woller-Aye. Harriet L. Grossman-Abstained. Motion so carried.

Deputy Registrar of Vital Statistics/Glenna Herz

Motion made by Todd Pascarella to appoint Glenna Herz Deputy Registrar of Vital Statistics of the Village of Fleischmanns for a term of one year. Motion seconded by Fred Woller. Todd Pascarella-Aye. Benjamin Fenton-Aye. Fred Woller-Aye. Harriet L. Grossman-Aye. All in favor. Motion so carried.

Health Officer/Brian Callahan

Motion made by Harriet L. Grossman to appoint Brian Callahan as Health Officer of the Village of Fleischmanns. Motion seconded by Fred Woller. Harriet L. Grossman-Aye. Fred Woller-Aye. Todd Pascarella-Aye. Benjamin Fenton-Aye. All in favor. Motion so carried.

Signatory/Lorraine DeMarfio

Motion made by Benjamin Fenton to appoint Lorraine DeMarfio as signatory on all Village checks and requiring two signatures on any checks over \$500.00. Motion seconded by Fred Woller. Benjamin Fenton-Aye. Fred Woller-Aye. Harriet L. Grossman-Aye. Todd Pascarella-Aye. All in favor. Motion so carried.

Signatory/Todd Pascarella

Motion made by Harriet L. Grossman to appoint Todd Pascarella as signatory on Village checks and requiring two signatures on any checks over \$500.00. Motion seconded by Fred Woller. Harriet L. Grossman-Aye. Fred Woller-Aye. Benjamin Fenton-Aye. Todd Pascarella-Abstained. Motion so carried.

Signatory/ Benjamin Fenton

Motion made by Todd Pascarella to appoint Benjamin Fenton as signatory on Village checks and requiring two signatures on any checks over \$500.00. Motion seconded by Fred Woller. Todd Pascarella-Aye. Fred Woller-Aye. Harriet L. Grossman-Aye. Benjamin Fenton-Abstained. Motion so carried.

Official Bank/Community Bank

Motion made by Harriet L. Grossman to appoint Community Bank as the official bank of the Village of Fleischmanns. Motion seconded by Todd Pascarella. Harriet L. Grossman-Aye. Todd Pascarella-Aye. Benjamin Fenton-Aye. Fred Woller-Aye. All in favor. Motion so carried.

Official Newspaper/Catskill Mt. News

Motion made by Benjamin Fenton to appoint the Catskill Mt. News as the official newspaper of the Village of Fleischmanns. Motion seconded by Todd Pascarella. Benjamin Fenton-Aye. Todd Pascarella-Aye. Harriet L. Grossman-Aye. Fred Woller-Aye. All in favor. Motion so carried.

Official Board Meeting/Dates/2nd Monday of the Month

Motion made by Fred Woller to hold the regular Village Board meetings on the 2nd Monday of each month. Motion seconded by Benjamin Fenton. Fred Woller-Aye. Benjamin Fenton-Aye. Todd Pascarella-Aye. Harriet L. Grossman-Aye. All in favor. Motion so carried.

Mileage/Reimbursement

Motion made by Fred Woller to reimburse Village employees who use their personal vehicles for Village related business shall be reimbursed at the current federal rate. Motion seconded by Benjamin Fenton. Fred Woller-Aye. Benjamin Fenton-Aye. Todd Pascarella-Aye. Harriet L. Grossman-Aye. All in favor. Motion so carried.

Audit/Village Taxes/Harriet L. Grossman

Motion made by Benjamin Fenton to appoint Harriet L. Grossman as auditor of Village taxes and water payments. Motion seconded by Todd Pascarella. Benjamin Fenton-Aye. Todd Pascarella-Aye. Fred Woller-Aye. Harriet L. Grossman-Abstained. All in favor. Motion so carried.

Park Commissioner/Jeanine Pascarella

Motion made by Benjamin Fenton to appoint Jeanine Pascarella as Park Commissioner. Motion seconded by Fred Woller. Benjamin Fenton-Aye. Fred Woller-Aye. Harriet L. Grossman-Aye. Todd Pascarella-Abstained. Motion so carried.

ZBA/Appointments/Yvonne Reuter & Bill Birns

Motion made by Todd Pascarella to re-appoint Yvonne Reuter and Bill Birns to the ZBA. Motion seconded by Fred Woller. Todd Pascarella-Aye. Fred Woller-Aye. Benjamin Fenton-Aye. Harriet L. Grossman-Aye. All in favor. Motion so carried.

Prepayment Authorization

Motion made by Todd Pascarella to approve the pre-payment of electric, postage, phones, and Water Project invoices. Motion seconded Fred Woller. Todd Pascarella-Aye. Fred Woller-Aye. Harriet L. Grossman-Aye. Benjamin Fenton-Aye. All in favor. Motion so carried.

Flood Commission/Todd Pascarella

Motion made by Benjamin Fenton to appoint Todd Pascarella to the Flood Commission. Motion seconded by Harriet L. Grossman. Benjamin Fenton-Aye. Harriet L. Grossman-Aye. Fred Woller-Aye. Todd Pascarella-Abstained. Motion so carried.

Flood Commission/Fred Woller

Motion made by Benjamin Fenton to appoint Fred Woller to the Flood Commission. Motion seconded by Harriet L. Grossman. Benjamin Fenton-Aye. Harriet L. Grossman-Aye. Todd Pascarella-Aye. Fred Woller-Abstained. All in favor. Motion so carried.

Flood Commission/Larry Reilly

Motion made by Benjamin Fenton to appoint Larry Reilly to the Flood Commission. Motion seconded by Todd Pascarella. Benjamin Fenton-Aye. Todd Pascarella-Aye. Fred Woller-Aye. Harriet L. Grossman-Aye. All in favor. Motion so carried.

Local Law # 1 2012/Flood Damage Prevention

Negative Declaration

Motion made by Benjamin Fenton to issue a Negative Declaration on the proposed Local Law #1 of 2012, Flood Damage Prevention Law. Motion seconded by Harriet L. Grossman. Benjamin Fenton-Aye. Harriet L. Grossman-Aye. Todd Pascarella-Aye. Fred Woller-Aye. All in favor. Motion so carried.

**Resolution of the Village Board
Of the Village of Fleischmanns Determining
That There Are No Adverse Impacts on
The Environment from Adoption of the
Flood Damage Prevention Law**

At a Regular Meeting of the
Village Board of the Village of
Fleischmanns held on
Monday, April 9, 2012 and

Upon motion made by Benjamin Fenton and seconded by Harriet L. Grossman, the following resolution was adopted:

Whereas, the Village Board is adopting a local law that repeals and supersedes Local Law No. 2 of the year 2010 entitled “Flood Damage Prevention Law” in order to maintain the community’s eligibility to participate in the National Flood Insurance Program (“NFIP”);

Whereas, the possible environmental impacts of the adoption of this Law have been considered by the Village Board;

Now Therefore Be It Resolved, that the Village Board has determined that the adoption of new local law entitled “Flood Damage prevention Law” will not have significant adverse impacts on the environment; and

Whereupon, the Resolution was put to a vote and recorded.

Lorraine DeMarfio, Village Clerk
Village of Fleischmanns

April 9, 2012

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 on April 9, 2012 and the whole thereof.

Lorraine DeMarfio, Village Clerk
Village of Fleischmanns

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

**Resolution
Adoption of Local Law # 1 of 2012**

At a Regular Meeting of the
Village Board of the Village of
Fleischmanns held on
Monday, April 9, 2012 and

Upon Motion made by Benjamin Fenton and seconded by Harriet L. Grossman, the following resolution was adopted:

Whereas, the Village Board of the Village of Fleischmanns, New York (the “Village”) deems it advisable to maintain its eligibility to participate in the National Flood Insurance Program (“NFIP”);

Whereas, new Flood Insurance Study and Flood Insurance Rate Maps establishing 100 year base flood elevations for the Village have been completed by the Federal Emergency Management Agency (“FEMA”);

Whereas, to maintain eligibility in the NFIP it is necessary for the Village to adopt the new Flood Insurance Study and Flood Insurance Rate Maps into its floodplain management regulations;

Whereas, the New York State Department of Environmental Conservation (“NYSDEC”) has also instructed the Village Board to update its Flood Plain Local Law to conform to the current rules and regulations required by FEMA; and

Whereas, the Village Board deems it advisable to adopt a local law that repeals and supersedes Local Law No. 2 of the year 2010 of the Village of Fleischmanns entitled “Flood Damage Prevention Local Law” to adopt the new maps and to incorporate the current FEMA regulations regarding flood plain management.

Now, Therefore, Be It Resolved, that said Village Board shall meet at the Village Hall; 1017 Main Street, Fleischmanns, NY 12430 on April 9, 2012, at 6:00 p.m. to hear all persons interested in the manner of the adoption of the local law, and be it

Further Resolved, that the Village Clerk is hereby authorized and directed to publish notice of said hearing in the official newspaper of the Village, and to post copies of such notice in the manner provided by law.

Lorraine DeMarfio, Village Clerk
Village of Fleischmanns

Dated: April 9, 2012

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 April 9, 2012 and the whole thereof.

Lorraine DeMarfio, Village Clerk
Village of Fleischmanns

Motion made by Benjamin Fenton to adopt Local Law # 1 of 2012, Flood Damage Prevention. Motion seconded by Fred Woller. Benjamin Fenton-Aye. Fred Woller-Aye. Todd Pascarella-Aye. Harriet L. Grossman-Aye. All in favor. Motion so carried.

Workshop/Rabbi Horowitz

Motion made by Todd Pascarella to hold a Workshop on Monday, April 23, 2012 at 4:00 p.m. with Rabbi Horowitz. Motion seconded by Harriet L. Grossman. Todd Pascarella-Aye. Harriet L. Grossman-Aye. Benjamin Fenton-Aye. Fred Woller-Aye. All in favor. Motion so carried.

Bear Issue/527 Main St.

A complaint regarding a bear retrieving garbage and spreading it in the street and down the banks by 527 Main Street was received. It appeared the garbage was coming from a neighboring apartment building and a house located across the street from 527 Main St. DEC officer Vern Bauer was contacted along with the Village’s Health Officer, Brian

Callahan. It was suggested that the regular garbage containers be exchanged for bear-proof containers to prevent this from occurring again.

Library Sump Pump

The Village Board discussed installation of two sump pumps in the Library basement to avoid flooding. Mayor Todd Pascarella suggested the Village acquire some estimates for this purpose.

CWC

Village Trustee Harriet L. Grossman advised she had met with Kim Ackerly of the CWC as to obtaining funding for debris clean up at the Pump Station, the Park and two (2) private residential buildings.

Vouchers

Motion made by Todd Pascarella to pay the following vouchers for the month of April, 2012: General Fund, Abstract # 63, Vouchers # 300 through 319 totaling \$32,768.26, General Fund, Abstract # 64, Vouchers # 320 through 332 totaling \$9975.00, Abstract # 66, Voucher # 333 totaling \$2015.11; Water Dept. Fund, Abstract # 14, Vouchers # 51 through 55 totaling \$4551.45; Sewer Department Fund, Abstract # 11, Vouchers # 112 through 120 totaling \$20,972.65. Motion seconded by Fred Woller. Todd Pascarella-Aye. Fred Woller-Aye. Harriet L. Grossman-Aye. Benjamin Fenton-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. Benjamin Fenton-Aye. Harriet L. Grossman-Aye. All in favor. Motion so carried.