

Village of Fleischmanns
Board Meeting
May 14, 2012

The Village of Fleischmanns Board of Trustees held their regular monthly Board Meeting on Monday, May 14, 2012 at 6:00 p.m. Present were: Mayor Todd Pascarella, Harriet L. Grossman and Fred Woller. Deputy Mayor Benjamin Fenton was absent.

Mark Project/Peggy Ellsworth

Parking Lot

Peggy Ellsworth addressed the parking lot issues with the Village Board advising that the Street Scape funds had to be used this summer, and if the Village did not want to do the parking lot, a new location would have to be identified. Peggy was advised by Alan Sorensen that Trustee Fred Woller had concerns as to the proposed changes to the parking lot & Mr. Sorensen had the general thought that those concerns could be easily addressed & everyone would be happy to sit down & address Mr. Woller's concerns. Mr. Woller's property is located next door to the parking lot at 1000 Main Street. The nature of the beast is downtown community enhancement. We have to look into the mandatory fire lane and the number of cars. The development of a green center village is a nice idea which should be easy enough to accomplish without violating anyone's quality of life.

Movie Theatre

Peggy Ellsworth advised that she had gotten approval from the Mark Board for herself and Rick Osterhoudt, who is on the building committee, can make the final decision with, of course, our attorney and the Village Attorney feeling comfortable with the language. That should be moved on sooner rather than later since there are opportunities for funding. We would create a list of names of people to be on a planning committee and follow that process.

Park Plan

The park grant is about ready to go. Peggy advised that we have all the documentation except the boundary map which Rob Allison will have for us tomorrow.

Smart Growth

Delaware Engineering is going to do the bid specs for the sidewalks for the Smart Growth as well as the railing in between Depot and Bridge Street which needs to be replaced with something a little less institutional, but sturdy.

The Streetscape is the last phase of this Main Street Revitalization Project. The money has all been assigned. We will see more improvements on Main Street.

Mayor Pascarella questioned if the Long Term Recovery Grant would be a good vehicle for the theatre planning. Some of those funds would be used in the scope of work for a consultant to help with the planning for the long term health of the theatre building and its uses, so it would be nice to be able to tap into that because there is so much overlap in Fleischmanns, Margaretville, and Middletown that you really get more on an individual village basis. The theatre is an anchor building. Peggy Ellsworth advised that BAG should be resurrected & thought that the steering committee should be pieces of all those puzzles, but not just one entity or another; we need a fair representation from the Village's entire community.

Delaware Engineering

John Brust of Delaware Engineering advised that they will be happy to support whatever is needed on the sidewalk replacements which Jeff Francisco will be handling. Jeff has also been working on the appeal to FEMA in regard to the project worksheets. Some of the cost items are inordinately low that FEMA is using in terms of reimbursing the community. So, we are going to appeal those which process takes about 60 days. John Brust advised that there were still funds remaining in connection with the Water Project. The plan has been to do some water line replacement work to the extent that there is money left over. Alan Tavenner and Michael Myers have concluded that the Old Halcott

& Switzerland water mains can be replaced and then put Switzerland & Schneider as an alternate, and/or paving as an alternate.

Force Account Proposal/DOH/Old Halcott & Switzerland Ave.

Motion made by Harriet L. Grossman authorizing Mayor Pascarella of the Village of Fleischmanns to submit a force account proposal to the Department of Health for Old Halcott and Switzerland Ave. so that the paving can be done by the Town of Middletown basically an alternate to the private sector proposals that the Village will be getting.

Motion seconded by Fred Woller. Harriet L. Grossman-Aye. Fred Woller-Aye. Todd Pascarella-Aye. Benjamin Fenton-Absent. Motion so carried.

Bids/Old Halcott & Switzerland Ave./Water Project

Motion made by Harriet L. Grossman to have Delaware Engineering put Old Halcott & Switzerland Avenue water mains out for bid. Motion seconded by Fred Woller. Harriet L. Grossman-Aye. Fred Woller-Aye. Todd Pascarella-Aye. Benjamin Fenton-Absent. Motion so carried.

Delaware Operations

Purchase Orders

Motion made by Fred Woller to pay the following purchase orders for the month of May, 2012: 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. @ \$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: treat plant flow for alkalinity and pH; USA Blue Book, Box of Chart Paper, 1 @ \$45.99, Chlorine DPD 10mL-100 tests, 3 @ \$8.99, lab oven thermometer, 1 @ 70.95, total cost of request: \$173.91, reason for purchase: chart recorders at the facility use a special circle chart paper. The recorders use two charts per week; New doors at chemical room, total cost of request: \$2444.00, reason for purchase: building maintenance. Motion seconded by Harriet L. Grossman. Fred Woller-Aye. Harriet L. Grossman-Aye. Todd Pascarella-Aye. Benjamin Fenton-Absent. Motion so carried.

Monthly Report

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.

Lou Dibble approached DEP requesting that Fleischmanns be able to take in the extra wastewater from the Town of Andes and be paid five cents (\$.05) a gallon.

Lou Dibble assured the Board that the Village had plenty of capacity, even in the summer. Funds could be put into the General fund as administrative costs; a capital reserve fund could be set up, or a reserve to offset some of the commercial costs of sewer. This has been approved by DEC & DEP and the City will still pay their portion. Lou Dibble said he would check on & look into doing some commercial offset.

Additional Wastewater/Andes

Motion made by Fred Woller to accept additional wastewater from the Town of Andes and be paid \$.05 a gallon. Motion seconded by Harriet L. Grossman. Fred Woller-Aye. Harriet L. Grossman-Aye. Todd Pascarella-Aye. Benjamin Fenton-Absent. Motion so carried.

Manhole Riser/Depot Street

Motion made by Fred Woller to have Mike Myers and Leland Johnson, III pick up, deliver, and set the manhole riser on Depot Street. Motion seconded by Harriet L. Grossman. Fred Woller-Aye. Harriet L. Grossman-Aye. Todd Pascarella-Aye. Benjamin Fenton-Absent. Motion so carried.

Sewer Re-Levy

Motion made by Fred Woller to re-levy unpaid sewer on the June 1, 2012 Village Tax bills in the amount of \$15,611.17. Motion seconded by Harriet L. Grossman. Fred

Woller-Aye. Harriet L. Grossman-Aye. Todd Pascarella-Aye. All in favor. Motion so carried.

Public Comment

Discussion was held as to a variance for a well requested by Rabbi Horowitz, a natural spring located on the north side of Main Street, draining of the mikvh, a proper site for the Market on Main, the old septic located at 540 Main Street, along with proposed plans for the Village parking lot.

H.D. Construction Flood Invoice

Discussion was held as to H.D. Construction's invoice & payment request concerning flood work. Herb Finch had submitted an invoice for \$4,200.00. In Jan. 2012, Herb Finch asked the Village Board if they would be interested in giving him the Village's old police car & the old Dodge 3500 truck & in exchange he would reduce the bill by \$2,100.00. Village Attorney John R. Fairbairn advised that any trade-off would be an issue since FEMA reimburses actual expenses. The other issue is the legality of barter. Attorney Fairbairn found nothing in HR Village law that permits barter. An opinion from around 1979 stated that a village could sell an unused vehicle to a private entity without a public sale, but only for fair market value. One can certainly make the argument that the Village has received fair value in return because of the work done. Herb Finch should submit a bill, the Village says it does not have sufficient funds to pay yet; Herb Finch offers to accept 2 vehicles as partial payment of the invoice; a two way sale/purchase. The Village will need to check on the fair market value of the vehicles and discuss the issue with Attorney Fairbairn prior to making a decision.

Fuel Bids/Mirabito

Motion made by Harriet L. Grossman to accept the bid awards for fuel from Mirabito Energy Products through the Town of Middletown effective April 18, 2012 as follows:

- 1) Fuel Oil, unblended.....Fluctuating \$3.4446/gal.
- 2) Dyed Kerosene for fuel Oil Blend-----Fluctuating \$3.6596/gal.
- 3) Diesel Fuel (summer) 7000 gals. or less-----Fluctuating \$3.6106/gal.
- 4) Kerosene (for Blend w/Diesel) 7000 gals. or less-----Fluctuating \$3.6976/gal.
- 5) Diesel Fuel (summer) 7000 gals. or more-----Fluctuating \$3.3720/gal.
- 6) Kerosene (for Blend w/ Diesel) 7000 gals. or more-----Fluctuating \$3.4790/gal.
- 7) Unleaded Gasoline (89 Octane)-----Fluctuating \$3.6995/gal.

Motion seconded by Fred Woller. Harriet L. Grossman-Aye. Fred Woller-Aye. Todd Pascarella-Aye. Benjamin Fenton-Absent. Motion so carried.

Planning Board/Local Law/Bear Proof Containers

Chairman of the Village Planning Board, Larry Reilly, sent a memo May 8, 2012 that at the Planning Board's regularly scheduled meeting on May 1, 2012, they passed a resolution requesting the Village Board adopt a local law that requires trash stored outside overnight be contained in a bear proof container.

Mayor Pascarella will address the above issue with Village Attorney, John R. Fairbairn, III.

Pump Station Rental/Rob Allison

Motion made by Fred Woller to set the rent at the pump station at \$425.00 per month for two years effective May 15, 2012. Motion seconded by Harriet L. Grossman. Fred Woller-Aye. Harriet L. Grossman-Aye. Todd Pascarella-Aye. Benjamin Fenton-Absent. Motion so carried.

Pool/Recreation Aide

Motion made by Harriet L. Grossman to hire Linda Caswell and Brandon Belaski as Recreation Aides (Ticket Takers) at the Village Pool at \$7.25 per hour. Motion seconded by Fred Woller. Harriet L. Grossman-Aye. Fred Woller-Aye. Todd Pascarella-Aye. Benjamin Fenton-Absent. Motion so carried.

Pool/Life Guards

Motion made by Harriet L. Grossman to hire Amanda Drizis and Lily Fernandez as lifeguards at the Village pool. Motion seconded by Fred Woller. Harriet L. Grossman-Aye. Fred Woller-Aye. Todd Pascarella-Aye. Benjamin Fenton-Absent. Motion so carried.

Pool /Passes

Motion made by Harriet L. Grossman to table a decision as to the price for season passes at the Village pool for 2012. Motion seconded by Fred Woller. Harriet L. Grossman-Aye. Fred Woller-Aye. Todd Pascarella-Aye. All in favor. Motion so carried.

Middletown Township Post, No. 216/Donald E. Kearney

The following letter dated May 14, 2012 and addressed to Mayor Pascarella and the Fleischmanns Village Board read as follows:

The American Legion Post 216 must have grants to support the rehabilitation of the Post at 903 Main Street, Margaretville. We have applied for several grants, but have found that few grantors give money to not for profit organizations. We are presently putting together a grant application for the O'Connor Foundation in Hobart. We feel that we have a good chance of getting some money as we are aware that O'Connor has given to other not for profit organizations.

The Legion, although small, is quite active. We sponsor Legion baseball, give 2 MCS graduating students scholarships, subsidize one or two students to a leadership conference, support both the boy and girl scouts, organize and participate in local parades, put flags on veterans graves (presently over 700 flags are distributed) have a presence at veteran funerals, sponsor BINGO, one of the most appreciated low cost adult entertainment activities in the area, and more. We would like to do more, but need more and younger members for additional activities.

As part of the application we must submit letters of endorsement. We are asking the Mayor and the Board to give us a letter of support. Before you write the letter you may wish to visit the building to become more informed as to what the money will be used to achieve. If you call me I can set up an appointment for your visit. We also are usually at the building between 10:00 a.m. and 1 or 2:00 p.m. Monday through Saturday. (Many of us are old men so we can only do this heavy work for a limited amount of time) My telephone number is (845) 254-5311.

Thanking you in advance for your cooperation.

Usher Schwartz/Waiver of Late Charges/Water Billing

The following letter dated May 7, 2012 addressed to the Village Board from Osher Schwartz of Wagner Avenue Cottages located at 99 Depot Street read as follows:

I am writing this letter to ask that you please waive the late charge penalty on my water bill. I overlooked the bill due to the flood. As you know our house was completely flooded on the first floor and it has been very difficult and very costly to repair the house. We are still fixing the house and I overlooked the water bill because everything in my office is upside down due to the flood. I hope you will be fair and help us a little to waive the penalty-late charges on our bill.

Motion made by Fred Woller not to waive the late charges on Osher Schwartz's water account # 000012 located at 99 Depot Street in the amount of \$101.77. Motion seconded by Harriet L. Grossman. Fred Woller-Aye. Harriet L. Grossman-Aye. Todd Pascarella-Aye. Benjamin Fenton-Absent. Motion so carried.

Vouchers

Motion made by Harriet L. Grossman to pay the following vouchers for the month of May 2012: General Fund, Abstract # 69, Vouchers # 333 through 352 totaling \$18,302.88, General Fund, Abstract # 70, Vouchers # 353 through 360 totaling \$8,226.29; General Fund, Abstract # 71, Voucher # 361 totaling \$132.00; Sewer Department Fund, Abstract # 12, Vouchers # 121 through 133 totaling \$25,378.72; Water Department Fund, Abstract # 15, Voucher # 56 totaling \$244.26, Water Dept. Fund, Abstract # 17, Vouchers # 57 through 61 totaling \$1271.65. Motion seconded by Fred Woller. Harriet L. Grossman-Aye. Fred Woller-Aye. Todd Pascarella-Aye. Benjamin Fenton-Absent. Motion so carried.

Adjourn

Motion made by Todd Pascarella to adjourn. Motion seconded by Harriet L. Grossman. Todd Pascarella-Aye. Harriet L. Grossman-Aye. Fred Woller-Aye. Benjamin Fenton-Absent. Motion so carried.