

Village of Fleischmanns  
Board Meeting  
July 9, 2012

The Village of Fleischmanns Board of Trustees held their regular Village Board meeting on Monday, July 9, 2012 at 5:00 p.m. Present were: Mayor Todd Pascarella, Harriet L. Grossman, and Kathleen Rostad Miles. Deputy Mayor Benjamin Fenton was absent and Village Trustee Fred Woller was absent.

**Mark Birman**

Mark Birman and his attorney, Dennis Metnick, approached the Village Board for an arrangement for Mr. Birman to purchase, and/or use of the Village parking lot directly across from 1625 Main Street. Mr. Birman would like to buy the parking lot in order to supply adequate parking for his establishment. Different options were discussed such as the selling the property to Mr. Birman, or possibly an easement with right of usage wherein the Village would keep ownership, leasing, etc. The Village Board suggested that Dennis Metnick, Esq. submit a proposal to the Village Board for review. The Village needs to maintain physical control and use of the property.

**Mark Project, Inc./Peggy Ellsworth**

Peggy Ellsworth advised Mark doesn't have money right now to fix the movie theatre, and there is no insurance right now. After a report on the inspection of the building, we can prioritize our approach. Meanwhile, Mark is filing a consolidated funding application for rural revitalization program just for the front portion of the building, which would entail the renovating of the upstairs. Peggy Ellsworth stated she would like to target middle income seniors for the ideal location. For the downstairs we can look towards two storefronts and restoration of the lobby as part of this proposal. This afternoon there was a long term recovery planning meeting. There is money in place for some specialized planning for the adaptive use or re-use of the rest of the theatre. Peggy advised the Village could put together a steering committee or action based committee & an advisory committee, a subset of that. Peggy presented a list of those who might possibly be on the committee; Paula DeSimone (Fleischmanns Resident), Justin Kolb (Festival of the Voice), Jim DePaiva (Theater Experience), Bud Sife (Main Street Resident), Colin Young (Fleischmanns Resident), Ezra Birnbaum (Fleischmanns First), Larry Reilly (Village Planning/Fleischmanns First), Patti Dell and Stuart (Dance and Theater Experience), Rob Alverson (Fleischmanns First/Main Street Resident). Representation can come from the Village Board, Belleayre Music Festival, Roxbury Arts Group, West Kortright Center, UPAC, Fleischmanns Fire Department, Fleischmanns Seniors, and the Fleischmanns Business Community. The steering committee should be limited to 15-20 people. Or, there could be an action oriented group and an advisory council. The lease for the theatre is very close to being agreed on; however, until there are funds for immediate repairs, the theatre cannot be put in use. Peggy advised that they were wrapping up their Community Development Block Grant; there was an excess of 7 or 8 owner occupied homes which received some assistance for health & safety & for energy efficiency projects in their homes in Fleischmanns. It has been a very successful program and we may reapply next year because there may be a waiting list by then. We also have the rental rehab program which is active now & Fleischmanns is eligible for which is to rehab rental units up to \$25,000.00 per unit in facilities that have two units or more of rental apartments. Peggy Ellsworth answered all questions from the Board and the public. Mayor Pascarella advised that Delaware Engineering is working on the sidewalks which need go out to bid as soon as possible.

Further discussion was held by the Village Board as to the delinquent rental money owed to the Village of Fleischmanns by Fleischmanns Pizza Co. and the issue of the equipment which still remains at the location. Village Trustee Kathleen Rostad Miles advised she was willing to go into the former pizza store to remove the Christmas decorations & spruce up the window.

**Resolution/Application for Funding  
Rural Area Revitalization  
Program/ Fleischmanns Theatre**

At the Regular Village Board Meeting  
Of the Village of Fleischmanns, New York  
Held at the Skene Memorial Library on  
Monday, July 9, 2012 and

Upon motion made by Harriet L. Grossman and seconded by Kathleen Rostad Miles, the following resolution was duly adopted:

**Whereas**, the Village Board recognizes that the Fleischmanns Theater is an anchor building on Fleischmanns Main Street;

**Whereas**, the Village of Fleischmanns supports the Mark Project’s effort to stabilize and rehabilitate the historic Fleischmanns Theatre;

**Therefore**, the Village Board authorizes the Mark Project to apply for funds to the Rural Area Revitalization Program administered by NY State Homes and Community Renewal to be submitted via the Consolidated Funding Application on July 16, 2012.

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Lorraine DeMarfio, Village Clerk  
Village of Fleischmanns

Dated: July 9, 2012

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

I, Lorraine De Marfio, Village Clerk of the Village of Fleischmanns, New York, 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, New York on July 9, 2012 and the whole thereof.

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Lorraine DeMarfio, Village Clerk  
Village of Fleischmanns

Motion made by Harriet L. Grossman to adopt the above resolution. Motion seconded by Kathleen Rostad Miles. Harriet L. Grossman-Aye. Kathleen Rostad Miles-Aye. Todd Pascarella-Aye. Benjamin Fenton-Absent. Fred Woller-Absent. Motion so carried.

**Delaware Operations/Lou Dibble**

*Purchase Orders*

Motion made by Harriet L. Grossman to approve the following purchase orders for the month of July, 2012: 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, chlorine bleach, 55 gal. drums, 110 gal. @ \$2.55/gal, total cost of request: \$281.00, reason for purchase: chemicals used in the treatment process; Slack Chemical, 60% magnesium hydroxide, 55 gal. drums, 220 gal. @ \$3.90/gal, total cost of request: \$858.00, reason for purchase: treat plant flow for alkalinity and pH. Motion seconded by Kathleen Rostad Miles. Harriet L. Grossman-Aye. Kathleen Rostad Miles-Aye. Todd Pascarella-Aye. Benjamin Fenton-Absent. Fred Woller-Absent. Motion so carried.

*Monthly Report*

Lou Dibble advised the manhole on Depot Street was raised up. The flows have come up during the last week at the plant. The sewage from Andes will probably be coming into Fleischmanns by around the end of July.

**East Branch Stream Management Recreational Access Grant Presentation**

**By Martie Gailes & Aaron Bennett**

Martie Gailes reminded everyone that Delaware County Soil and Water had a grant for a study as to how we can improve recreational access to the east branch & Aaron Bennett is the consultant hired and the discovery center is the lead agency. The project was to figure out what is existing and what potential access points could be and identify those areas. Phase 2 would be to go back to the Delaware County Soil & Water Conservation District through the stream management implementation grants & apply for funding to implement things that came to the surface in Fleischmanns, Middletown, Margaretville and Roxbury. Aaron directed everyone to access the website called the Eastbranchaccess.com which contains relevant documents, meeting information, up-dated draft maps of the access points, or potential access points, etc. Access points were identified along the Bushkill and the Emory Brook.

**Delaware Engineering/John Brust**

John Brust advised that Delaware Engineering is continuing to work with FEMA, SEMO & Larry Reilly, doing appeals for the FEMA costs estimates they were given. Delaware Engineering is also working Graden Dutcher of Delaware County Soil and Water Conservation on an alignment for the wall at the park and we need to get an official blue book.

As to the Water Project, the Village has approximately \$250,000.00 left in grant money. Bids were put out for water mains for Halcott and for Switzerland. Four responses were received; one from Vacri Construction, Simpson, and Grant Street, and the lowest bidder was Hubbell Bros.

**Resolution/Water Project Contract  
Award/Old Halcott Road and  
Switzerland Avenue**

At the Regular Village Board Meeting  
Of the Village of Fleischmanns, New York  
Held at the Skene Memorial Library on  
Monday, July 9, 2012

Upon motion made by Kathleen Rostad Miles and seconded by Harriet L. Grossman, 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 in loans and grants from NY State; and

**Whereas**, replacement of the water mains on Old Halcott and Switzerland are a portion of the project as originally conceived; and

**Whereas**, the Village authorized Delaware Engineering to prepare bid plans and specifications for replacement of the water lines; and

**Whereas** the Town of Middletown has proposed to pave the streets at the conclusion of work at a cost estimated to be \$36,169.10, with these funds to be drawn of project grant funds; and

**Whereas**, the Village advertised for public bids and opened those bids on July 3, 2012 and

**Whereas**, Delaware Engineering has recommended award of a Contract;

**Be It Resolved** that the Village of Fleischmanns shall award a contract to Hubbell, Inc. at the bid price of \$204,815.00.

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Lorraine DeMarfio, Village Clerk  
Village of Fleischmanns

Dated: July 9, 2012

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

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 Lorraine DeMarfio, Village Clerk

Motion made by Kathleen Rostad Miles to approve the above resolution. Motion seconded by Harriet L. Grossman. Kathleen Rostad Miles-Aye. Harriet L. Grossman-Aye. Todd Pascarella-Aye. Benjamin Fenton-Absent. Fred Woller-Absent. Motion so carried.

**Legal Notice/Village of Fleischmanns  
 Sale of Surplus Equipment**

**NOTICE IS HEREBY GIVEN** that the Board of Trustees of the Village of Fleischmanns (the "Village") will review sealed bids, which must be received by the Village Clerk on August 13, 2012 at 6:00 p.m. at the Skene Memorial Library, 1017 Main Street, Fleischmanns, New York 12430, to sell all right, title and interest of the Village in and to:

ITEM: Crown Victoria Police Car and Dodge Dump Truck  
 In "as is where is condition," which is available for inspection at the Sand & Salt shed located in the Village of Fleischmanns on Takanassee Road, Fleischmanns, New York.

Said bids will be opened at the August, 2012 meeting of the Board of Trustees of the Village of Fleischmanns, on August 13, 2012 at 6:00 p.m. at the Skene Memorial Library, 1017 Main Street, Fleischmanns, New York 12430.

There shall be no upset price set for the above equipment, but the Village shall reserve the right to reject the highest bid and all other bids and to waive any informality in any bid.

The terms of the sale shall be in cash on or before August 30, 2012. It is the responsibility of any prospective bidder or purchaser to investigate and ascertain the condition of the items being sold prior to the date of bidding.

A bid deposit in the amount of ten percent (10%) of the bid price in the form of a certified check or bank cashier's check will be required of all bidders. Any bid received without such deposit will be automatically rejected. Such deposit will be refunded to all except the successful bidder by August 30, 2012.

Bids are to be submitted in a sealed envelope plainly marked "Police Vehicle" or "Dodge Truck."

It is the responsibility of any prospective bidder or purchaser to investigate and ascertain the condition of the items being sold prior to the date of bidding as the Village is making no representations or warranties, expressed or implied, with respect to the suitability or

fitness of these items for the purpose for which they may be utilized by the purchaser.

Dated: July 9, 2012

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Lorraine DeMarfio  
Village Clerk  
Village of Fleischmanns

Motion made by Harriet L. Grossman to approve the advertising of the above legal notice. Motion seconded by Kathleen Rostad Miles. Harriet L. Grossman-Aye. Kathleen Rostad Miles-Aye. Todd Pascarella-Aye. Benjamin Fenton-Absent. Fred Woller-Absent. Motion so carried.

**Life Guard/Salary Increase**

Motion made by Kathleen Rostad Miles to increase the salary of the lifeguards to \$13.00 per hour. Motion seconded by Harriet L. Grossman. Kathleen Rostad Miles-Aye. Harriet L. Grossman-Aye. Todd Pascarella-Aye. Benjamin Fenton-Absent. Fred Woller-Absent. Motion so carried.

**Recreation Aide/Ryan Pesa**

Motion made by Harriet L. Grossman to hire Ryan Pesa as a Recreation Aide at the Fleischmanns Pool at the rate of \$7.25 per hour. Motion seconded by Kathleen Rostad Miles. Harriet L. Grossman-Aye. Kathleen Rostad Miles-Aye. Todd Pascarella-Aye. Benjamin Fenton-Absent. Fred Woller-Absent. Motion so carried.

**FEMA/Checking Account**

Motion made by Harriet L. Grossman to open a separate checking account named "FEMA Funding," for the deposit of FEMA funds at Community Bank. Motion seconded by Kathleen Rostad Miles. Harriet L. Grossman-Aye. Kathleen Rostad Miles-Aye. Todd Pascarella-Aye. Benjamin Fenton-Absent. Fred Woller-Absent. Motion so carried.

**Part Time Accountant's Report Ending May 31, 2012**

Motion made by Harriet L. Grossman to table approval of the Part Time Accountant's Report ending May 31, 2012. Motion seconded by Kathleen Rostad Miles. Harriet L. Grossman-Aye. Kathleen Rostad Miles-Aye. Todd Pascarella-Aye. Benjamin Fenton-Absent. Fred Woller-Absent. Motion so carried.

**Life Guards/Kelsey Dignes & Kenzi Dignes**

Motion made by Kathleen Rostad Miles to hire Kelsey Dignes and Kenzi Dignes to work as lifeguards at the Village Pool at a salary of \$13.00 per hour. Motion seconded by Harriet L. Grossman. Kathleen Rostad Miles-Aye. Harriet L. Grossman-Aye. Todd Pascarella-Aye. Benjamin Fenton-Absent. Fred Woller-Absent. Motion so carried.

**Resolution Supporting  
Catskill Recreation Center**

At the Regular Village Board Meeting  
Of the Village of Fleischmanns, New York  
Held at the Skene Memorial Library on  
Monday, July 9, 2012

Upon motion made by Kathleen Rostad Miles and seconded by Harriet L. Grossman, the following resolution was duly adopted:

**Whereas**, Catskill Recreation Center, Inc. has long desired to create a state of the art recreation center in the Town of Middletown; and

**Whereas**, the Village Board of Fleischmanns has an interest having more amenities within the Town, amenities that add to our entire community in varying positive ways including jobs as well as adding to property values; and

**Whereas**, the Village of Fleischmanns Board applauds and is willing to commit time and energy to any community-wide effort to support the facility once it has been built; and

**Be It Resolved** by the Village Board of Fleischmanns, Delaware County, New York, that we wholly support this project and Catskill Recreation Center, Ink’s’ efforts to add value to our community with this recreation center.

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Lorraine DeMarfio, Village Clerk  
Village of Fleischmanns

Dated: July 9, 2012

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

I, Lorraine De Marfio, Village Clerk of the Village of Fleischmanns, New York, 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, New York on July 9, 2012 and the whole thereof.

Motion made by Kathleen Rostad Miles to approve the above resolution. Motion seconded by Harriet L. Grossman. Kathleen Rostad Miles-Aye. Harriet L. Grossman-Aye. Todd Pascarella-Aye. Benjamin Fenton-Absent. Fred Woller-Absent. Motion so carried.

**Public Input**

Discussion was held with the public as to the ball park, the parking at the Emory Brook, fracking, bridge options, the well at 540 Main Street, cleaning of Wagner Avenue, grass cutting at the Marchetta premises, sidewalks, Bridge Street bridge, sidewalks, etc.

**Vouchers/July, 2012**

Motion made by Harriet L. Grossman to pay the following vouchers for the month of July 2012: General Fund, Abstract # 10, Vouchers # 31 through 53 totaling \$10,535.27; Water Department Fund, Abstract # 2, Voucher #8 totaling \$112.64 & Abstract # 3, Voucher # 9 totaling \$66.42; Sewer Department Fund, Abstract # 2 , Vouchers #15 through 28 totaling \$32,410.06. Motion seconded by Kathleen Rostad Miles. Harriet L. Grossman-Aye. Kathleen Rostad Miles-Aye. Todd Pascarella-Aye. Benjamin Fenton-Absent. Fred Woller-Absent. Motion so carried.

**Adjourn**

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