

REGULAR SESSION OF THE VILLAGE BOARD OF TRUSTEES HELD ON  
OCTOBER 13, 2009 AT 7: P.M. AT THE DEPOSIT THEATER.

PRESENT: President O'Connor, Trustee Warner, McKee, O'Connell, and Sollecito, CT Decker, DCT Budine, PD Chief Cantwell, PWA Hubbard, Howard LaFever with S&W, Jim Serio, Beverly Shirkey, Sarah Evans, Wilber Dennis, Sherry White, Ann Couse, Kim Dermit, Ann Schambach, Mary O'Connell, Nancy Stanton, Georgiana Carson, Debbie Stever, Bonnie Hauber, Superintendent of DCS, Julie Wist, DCS School Board, Ed Burnhower & Bob Costello, with Bearsch, Compeau, & Knudson LLC, Joann Passaniti, Sean Rynearson, Lucy and Paul Lantz, Sharon Wright, Troy Proffitt, Jim Conklin, Lauren Louko, Lynn O'Connor

The President opened the meeting at 7:00 p.m. with the Pledge of Allegiance.

Bonnie Hauber, Superintendent of DCS spoke of the nine million dollar project that will begin in 2011. Hauber stated that the project started in 2008 and has been moving forward since. There are many upgrades and renovations; some as follows; the middle and high school has several upgrades including roof and boiler replacement and ADA compliance issues. The elementary school has roof replacements, energy improvements and HVAC control upgrades, and the bus garage has reconstruction to conform to state requirements. Wilber Dennis asked if there had been an allowance made for construction cost increases since the project isn't starting until 2011. Hauber said yes there was an inflation contingency figured in. Amy Kenyon asked if the state aid was given by percentages. Hauber answered that yes state aid was given by line item by percentage. Ms. Hauber thanked the board for their time.

MOTION#214/09-10

A motion was made by Trustee Sollecito seconded by Trustee Warner to waive the reading of the September 8<sup>th</sup> Regular, Sept. 9<sup>th</sup> Special, Sept. 14<sup>th</sup> Oversight, Sept. 22<sup>nd</sup> work and Sept. 28<sup>th</sup> Special meeting minutes. The motion carried unanimously.

MOTION#215/09-10

A motion was made by Trustee Sollecito seconded by Trustee McKee to accept for filing the September 8<sup>th</sup> Regular, Sept. 9<sup>th</sup> Special, Sept. 14<sup>th</sup> Oversight, Sept. 22<sup>nd</sup> work and Sept. 28<sup>th</sup> Special meeting minutes. The motion carried unanimously.

MOTION#216/09-10

A motion was made by Trustee O'Connell seconded by Trustee McKee to accept for filing the monthly PD report.

MOTION#217/09-10

A motion was made by Trustee McKee seconded by Trustee O'Connell to accept for filing the monthly EMS report.

MOTION#218/09-10

A motion was made by Trustee McKee seconded by Trustee O'Connell to accept for filing the monthly EMS report.

A fire Dept report was turned into the board at the meeting. Copies will be made a distributed to the board for approval at the work session.

MOTION#219/09-10

A motion was made by Trustee Sollecito seconded by Trustee McKee to accept for filing the monthly Treasurer's report.

#### MOTION#220/09-10

A motion was made by Trustee Sollecito seconded by Trustee O'Connell to accept for filing the monthly ZBA Minutes.

#### MOTION#221/09-10

A motion was made by Trustee O'Connell seconded by Trustee Warner to accept for filing the monthly Planning Board Minutes.

#### OLD BUSINESS

##### Streets:

Hubbard informed the board that the DPW had completed 116 work orders for the Village and 44 for Oquaga Lake. Some work orders were inspection of the well houses by the DOH, food giveaway, shutoffs were located and repaired, street paving, and repairing a broken water line on Second St. Further, the DPW repaired Columbia Lake Road, painted the guide rail on Upper Pine St. and began leaf pickup.

Hubbard wants the board to consider the Village acquiring Firemen/s Park Rd. as an access road. We maintain it anyway for emergency vehicles. The board asked Hubbard to contact the attorney to find out if an access road has to be up to NYS specs. The Board asked Asst Fire Chief Rynearson to go the Fire Dept board and see if they still were interested in signing the road over.

##### Water:

Hubbard informed the board that he had received a letter from Moody Pumps that East Resources Inc wanted to buy water from the Village for the Marcellus Shale fracturing. Hubbard has received a questionnaire from East Resources for information from the Village. The Board instructed Hubbard to answer the questionnaire and see where this goes. It was stipulated by the board that only well #5 should be used.

##### Sewer:

Hubbard stated that the Open House for the WWTP was on Saturday and was a huge success. He estimated that 50 – 60 people attended. He thanked everyone for coming. Hubbard also stated that the Town of Windsor had approached the Village on operating their new WWTP. He further stated that we had met with the Town of Windsor and were going to send them some preliminary numbers on the cost.

Hubbard informed the board that the DEC is requiring that at least one WWTP operator hold a class 3A license because of our upgrade based on a point system they use to determine this class. The Mayor has written a letter to Senator Libous to speak to the DEC in the Village's behalf, to date we have heard no reply. In the meantime DEC has sent class schedules at Morrisville College. The classes are offered in January and June of 2010. Hubbard stated it will be difficult for Conklin to take the class in June because of Little League so he would prefer to take the class in January. The board instructed Hubbard to sign Scott Conklin up for the January class while waiting for a reply from Libous's office.

##### Buildings:

Hubbard informed the board that the spray on insulation on had begun at the Fire Station – should take them 12 -1 5 days to complete.

Hubbard stated the EMS had requested that a counter and a fan be installed in the EMS room to allow the EMS computer to be used in the EMS office for privacy. Hubbard stated that they had priced the counter and fan at Lowes at approximately \$836.00 with

the DPW installing them. This was tabled for the work session to decide where to take the money from.

FD

None

EMS:

Captain Ann Couse informed the board that they had their NYS DOH inspection and only minor things were cited. She stated that 95% of the corrections had been made – most were wording in policy and procedures. Couse stated she had given the Mayor the detail of a Wheelers Collision bill on repairs to the ambulances.

Police:

None

President:

O'Connor informed the public that it didn't matter where you lived that you should be checking the FEMA maps to see how your home is classified.

Trustees:

None

Finance:

None

NEW BUSINESS:

Streets:

MOTION#222/09-10

A motion was made by Trustee Warner seconded by Trustee Sollecito to close Front St. on November 27, 2009 from NBT to the Big M for the Christmas Parade. The motion carried unanimously.

Sewer:

MOTION#223/09-10

A motion was made by Trustee O'Connell seconded by Trustee McKee to authorize the Mayor's signature on change order E3 with Vacri Construction in the amount of \$16,761.00 for upgrade to the Main St. sewer pumping station. The motion carried unanimously.

Howard LeFever of Stearns & Wheler informed the board that they needed to decide if they were going to charge Vacri Construction any liquidated damages as they had not been finished as of completion date in the contract. LeFever gave the board a few options on how to proceed.

MOTION#224/09-10

A motion was made by Trustee Warner seconded by Trustee Sollecito to charge Vacri Construction eight (8) days of liquidated damages or \$8,000 as specified in change order E4. The motion carried unanimously.

MOTION#225/09-10

A motion was made by Trustee O'Connell seconded by Trustee Sollecito to allow the mayor's signature on Abstract 22 with a semi final pay request from Vacri Construction in the amount of \$113,082.28 at 2.5% retainage providing Vacri sign change order E4. The motion carried unanimously.

Next CT Decker explained that two laptops were needed for the WWTP operators to access the treatment plant via PC Anywhere at a cost of \$2018.00 from the Computer Emergency Room. This was tabled until verification of payment could be made.

MOTION#226/09-10

A motion was made by Trustee Sollecito seconded by Trustee O'Connell to authorize the Mayor's signature on the Certificate of Substantial Completion for Lash Contracting for the Inverted Siphon. The motion carried unanimously.

Buildings

None

Fire Dept:

None

EMS:

None

PD:

The Chief needed a few minutes in Executive Session for specific personnel.

President:

President O'Connor informed the board there would be a Public Hearing on November 10<sup>th</sup> at 7:00 p.m. for the updated Curfew Law. He also informed the board that the Food Bank would not be able to use the fire station for the giveaway this month as the insulation is being installed. President O'Connor will call both churches and ask to use their parking lots for just this month.

Trustees:

None

Finance:

Motion#227/09-10

A motion was made by Trustee Sollecito seconded by Trustee O'Connell to authorize the Mayor's signature on the Abstract of Audited Vouchers as follows:

General Fund:	\$ 46,630.55
Water Fund:	\$ 11,532.53
Sewer fund:	\$ 58,939.13
T&A:	\$ 1,957.12
WWTP:	\$ 123,751.83

The motion carried unanimously.

MOTION#228/09-10

A motion was made by Trustee Sollecito seconded by Trustee McKee to take \$1425.00 from General Fund fund balance to pay an invoice from Coughlin & Gerhart for legal fees for the Second St. Drain project. The motion carried unanimously.

MOTION#229/09-10

A motion was made by Trustee Sollecito seconded by Trustee O'Connell to authorize Coughlin & Gerhart to make a written offer to the Musante's at the appraised value when the appraisal is received. This is part of the Second St. Drain project. The motion carried unanimously.

MOTION#230/09-10

A motion was made by Trustee Warner seconded by Trustee McKee to accept the Violence in the Workplace Prevention Policy. The motion carried unanimously.

GUESTS:

Jim Conklin and Lauren Louko presented the Village Board with a petition of 529 signatures in favor of the recycling center. The three municipalities had at an earlier meeting decided to eliminate the center. Mr. Conklin had taken the same petition to the two towns. All agreed if that is what the tax payers wanted – even with the possibility of a tax increase – the three municipalities were not against keeping it.

Sherrie White was present to thank the DPW for their prompt response to the report of the collapsing and washed out road on Columbia Lake Road by Head Start. President O'Connor wanted to have the board look into a weight limit for this road as it is the big trucks that cause damage to the road.

Wilber Dennis asked several questions: Why work at the Town of Windsor sewer plant? Why take over Firemen's Park Rd and why own the IDA water line. President O'Connor stated that revenue is the reason for the WWTP in Windsor, and Firemen's Park Rd was maintained for emergency vehicles anyway by the Village, and the IDA water line would open up new users to the water fund.

MOTION#231/09-10

A motion was made by Trustee McKee seconded by Trustee Warner to close Clark St. on October 30 and 31 from 5 p.m. until 10 p.m. for the Haunted House, The motion carried unanimously.

Troy Proffitt wanted to know the criteria to condemn a house. Decker responded that there were pages of the Local Law pertaining to this in the code book. President O'Connor asked him to stop by the Village hall to look at the Local Law. Proffitt then asked Trustee Warner if he still hauled garbage for the Village and how he could do that being a trustee. Decker stated if a trustee discloses his involvement at the organizational meeting each year there is no conflict.

MOTION#232/09-10

A motion was made by Trustee Sollecito seconded by Trustee McKee to enter into and out of executive session to discuss specific personnel and property transfers. The motion carried unanimously.

The meeting was adjourned at 9:45 p.m.

Respectfully Submitted: