

Regular Board Meeting

September 7, 2010

6:30p.m.

Present- Mayor Donna Kelley, Trustees James Howell, John King  
Sharon Wiedemer, Phil Joe Smith.

Absent – None.

Also present- Clerk–Treasurer Suzanne Casselberry, Mike & Christina Hughey, Phil Barnes.

Mayor Kelley called the meeting to order and asked for the Pledge of Allegiance.

The minutes of the August 16,2010 meeting were presented.

Trustee King offered a resolution seconded by Trustee Howell to approve the minutes of the August 16, 2010 meeting as presented. AYES: Trustee King, Trustee Howell, Trustee Smith, Trustee Wiedemer.

NOES: None. Resolution carried.

Mayor Kelley introduced Phil Barnes, current county legislator and candidate for primary election.

PUBLIC PARTICIPATION-None.

Sarah Haliday of the Southern Tier Tobacco Awareness Community Partnership joined with Gretchen Silliman made a presentation to the board to encourage a smoke free environment and requested the Village Board adopt an outdoor policy for a tobacco free SheQuaGa Falls Park. A smoke free park protects public and children from secondhand smoke and eliminates the cigarette butts that small children could pick up. Any policy can be tailored to meet the desires of the board. Board thanked the representatives for the presentation.

Trustee Smith offered a resolution seconded by Trustee Wiedemer granting a request from Carl & Lois Scott for a waiver of sewer charges on the water gallons used from their outside spigot at 110 West Main Street to fill 250 gallon tanks used to water young evergreen trees at an off-site property during dry weather. AYES: Trustee Smith, Trustee Wiedemer, Trustee King, Trustee Howell. NOES: None. Resolution carried.

The following quotes were received for construction of a cemetery vault building at the Montour Cemetery.

Jeff's Nichols Construction	\$14,600
Ely Smith Contracting	\$ 6,473
Steve Silliman Contracting	\$ 7,000
Gus Carr Building Inc.	\$ 8,950

Trustee Howell offered a resolution seconded by Trustee Smith to accept the lowest quote that meets the specifications to build a 16'x 16' building received from Steve Silliman Contracting for amount of \$7,000. and resolved the building must be completed by December 1, 2010. AYES: Trustee Smith, Trustee Howell, Trustee King, Trustee Wiedemer. NOES: None. Resolution carried.

Gary Herzig representative for Larry Jepsen, owner of the Montour Pharmacy requested a ROW through village property located behind the pharmacy building to permit installation of a drive up/pick up prescription window. Gary estimated a 14-15' lane would be needed to exit the pickup window on Smith Lane going west onto Tracy Street. The board agreed to the concept of granting a right of way for the pickup up window. This concept is an alternative to the pharmacy owner purchasing and demolishing the adjacent building for his project. Attorney Halpin will be consulted.

Danielle Hautaniemi representing the Ad Hoc Energy Task Force organized under the Schuyler County Council of Governments presented the board with their informational report on the gas drilling/hydro-fracking that is anticipated within New York State and specifically the local area. The ad hoc task force purpose was to address what action can be taken early on to mitigate and take advantage of the gas drilling.

Mike Hughey provided to the board prices on purchasing new playground equipment for the marina rather than replace existing equipment.

A map prepared by Mike Hughey and Trustee King of the proposed storm drain/catch basin installation project for Turner Park was reviewed by the board.

Trustee Howell offered a resolution seconded by Trustee King to approve the map with the extension of storm drain pipe from parcel #26 Devine to parcel #27 Michel and resolved that the improvement project should commence. AYES: Trustee Howell, Trustee Smith, Trustee Wiedemer, Trustee King. NOES: None. Resolution carried.

A letter was received from Nick Anagnost expressing concern for the sidewalk in front of his property at 310-312 W Main Street. He states the tree roots have caused the sidewalk to buckle and heave and that has created a dangerous condition. Board discussed the trees and the sidewalk blocks surrounding other trees on this side of the street. Board requested Mike Hughey speak with Stan Beaver for his recommendation on keeping, trimming or removal of the trees.

Mike Hughey reported Lance VanAlstine will be off work as of September 10<sup>th</sup> for a work related knee operation.

Trustee Smith offered a resolution seconded by Trustee King to purchase 500 biodegradable lawn/ yard waste bags for \$230.00 for use on a trial basis by residents to eliminate use of plastic bags in the storage area. AYES: Trustee Smith, Trustee King, Trustee Howell, Trustee Wiedemer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Wiedemer to authorize payment to Schuyler County in amount of \$4,277.62 for the purchase of the former Yacht Club building. AYES: Trustee Smith, Trustee Wiedemer, Trustee Howell, Trustee King. NOES: None. Resolution carried.

Mayor Kelley reported to the board the NY Main Street grant work will move forward on the library. Lead certified contractor will offer an estimate for paint work and Clayton Snow will complete the building reinforcement. The library will advance the funds until the grant funds are received.

Trustee Smith offered a resolution seconded by Trustee Howell authorizing one DPW employee to work at the Joint Sanitary Landfill for three 10 hour days beginning September 14<sup>th</sup> and resolved it was agreed the payroll expense will be reimbursed by the landfill commission. AYES: Trustee Smith, Trustee Howell, Trustee Wiedemer, Trustee King. NOES: None. Resolution carried.

Mayor Kelley reported the primary project by village forces is to complete the marina campground. The conduit has been backfilled and is ready for the electrical wire to be pulled through.

Board received a request from Dean Hillyard, code enforcement officer to modify his hours to Monday through Thursday 7:00am-11:30am with two hour for evening appointments.

Trustee Howell offered a resolution seconded by Trustee Wiedemer to grant request of code enforcement officer, Dean Hillyard to work Monday-Thursdays 7:00a.m.-11:30a.m. and two evening hours to total 20 hours per week and resolved to increase salary to \$20,000 per year effective September 9, 2010. AYES: Trustee Howell, Trustee Wiedemer, Trustee King, Trustee Smith. NOES: None. Resolution carried.

Trustee Smith offered a resolution seconded by Trustee King to approve Mike Hughey's enrollment in the Leadership Schuyler program twice per month from 8:30-10:30a.m. September through May, 2011 and authorized payment on his behalf of \$400.00. AYES: Trustee Smith, Trustee King, Trustee Howell, Trustee Wiedemer. NOES: None. Resolution carried.

Mayor Kelley noted having reviewed the visitor's center sign proposed for the Falls Park and will work with Mike Hughey on construction and installation.

Greg Cumming of Larsen Design was unable to attend the meeting however inquired if the board is interested in applying for funds to cover cost of wastewater treatment plant engineering study as proposed to the board last spring. The grant application is due the first of October and is a 100% grant. Clerk to inquire Larsen's fee to assist with application.

Board authorized proper disposal of five obsolete/junked CPU's, five monitors, 2 printers at the hazardous waste collection day.

Trustee Smith offered a resolution seconded by Trustee Howell to apply for NYS Canal Corporation, NYSDEC & Corp of Engineers general permits to repair docks and replace piling at the marina. AYES: Trustee Smith, Trustee Howell, Trustee King, Trustee Wiedemer. NOES: None. Resolution carried.

Mayor Kelley received and shared with the board a letter from Pat & Daryl Avery marina dock tenants expressing concern for the condition of the seawall on the north side of the Marina Bridge and for the poor drainage of the lawn area between docks 69-74. Mayor requested DPW address the lawn drainage problem.

Mayor Kelley shared with the board a letter from Junior Girl Scout Anastasia Couch who requested the board consider placing a geese/duck crossing sign at Rt 14 near the former Shepard Niles office building. The request will be referred to the NYS DOT.

A petition was received from marina tenants for consideration of cable service fees. Board acknowledged petition and Mayor Kelley indicated she is reviewing the fees for next year.

Board was advised approximately 4 street lights along Rt 224 near the bridge project will be disconnected on September 15<sup>th</sup> for the day to assist with work on the deck.

Mayor Kelley reported a NY Main Street Grant was received for the Rural Urban Center building. The owner, Bruce Nelson plans to begin work October 2010.

Trustee King offered a resolution seconded by Trustee Smith to approve payment of bills on General Abstract #5 \$28,061.92, Water Abstract #5 \$9,220.25, Sewer Abstract #5 \$1,572.94, Capital Projects NY Main Street \$43,921.18, Restore NY II \$350,000, Marina Improvement Project \$3,427.61 AYES: Trustee King, Trustee Smith, Trustee Howell, Trustee Wiedemer. NOES: None. Resolution carried.

Trustee Smith offered a motion seconded by Trustee Wiedemer to adjourn the meeting at 9:15p.m.

Suzanne Casselberry, Clerk-Treasurer

Regular Board Meeting

October 4, 2010

6:30p.m.

Present- Mayor Donna Kelley, Trustees James Howell, John King  
Sharon Wiedemer, Phil Joe Smith.

Absent – None.

Also present- Clerk–Treasurer Suzanne Casselberry, Mike & Christina Hughey

Mayor Kelley called the meeting to order and asked for the Pledge of Allegiance.

The minutes of the September 7, 2010 meeting were presented.

Trustee Howell offered a resolution seconded by Trustee Wiedemer to approve the minutes of the September 7, 2010 meeting as presented. AYES: Trustee Howell, Trustee King, Trustee Wiedemer, Trustee Smith. NOES: None. Resolution carried.

#### PUBLIC PARTICIPATION-

Steve Lawton commended the village and the employees on the progress being made for the new sites at the marina campground.

William Christoffels a local resident who is an experienced actor proposed use of the Village Hall upstairs for a theater to offer melodramas /musicals/family entertainment on Fridays and Saturdays from Memorial Day through Labor Day. He and his business partner have liability insurance and will look into a stairway lift for ADA compliance. The partners propose a lease arrangement that would provide the village with 10% of gross proceeds. Mr. Christoffels indicated upon approval he would contact his attorney to draft a lease agreement.

Trustee Smith offered a resolution, seconded by Trustee Wiedemer in support of the concept of a theater upstairs of the Village Hall to be open Memorial Day through Labor Day. AYES: Trustee Howell, Trustee King, Trustee Wiedemer, Trustee Smith. NOES: None. Resolution carried.

Tom Carson, Fire Chief spoke with the board about the fire rescue vehicle to be purchased in the current year's budget. The membership agreed on a ¾ ton rather than ½ ton and would be willing to contribute \$20,000 toward the total estimated cost of a \$65,000 vehicle. The truck (cab) would need to be bid as will the conversion of the vehicle.

Trustee Howell offered a resolution seconded by Trustee King approving the specifications and to accept bids for a 2011 ¾ ton fire rescue vehicle until 11:00am on October 27<sup>th</sup>, 2010, and further resolved to accept bids for the conversion of the 2011 vehicle until 11:00am November 17, 2010. AYES: Trustee Howell, Trustee King, Trustee Wiedemer, Trustee Smith. NOES: None. Resolution carried.

Fire Chief continued on and informed the board of the numerous false alarm calls from Schuyler Hospital and suggested the board consider enacting fees for excessive false calls.

Fire Chief requested board approval to use \$5,000 of unspent funds from his FY2010 budget that was meant for replacement of air tanks to allow him to purchase them now. In addition deposit the remaining unspent funds in the truck savings. Board took no action.

Fire Chief explained an appraiser reviewed the damage to Seagrave ladder truck from the August 16<sup>th</sup> incident. Tyler Fire Equipment and LaFrance Equipment looked at the vehicle and estimated \$85,000 - \$109,000 to make the repairs. The appraiser obtained a quote via use of photographs from Jerome Fire Equipment of \$12,670 and a check in that amount has been received. Fire Chief expressed concern for the differences in estimated repairs. Board suggested a representative of Jerome Fire Equipment be asked to view the vehicle at the fire station before it is delivered to Clay, NY.

Fire Chief noting having met with fire commissioners regarding the ladder truck. Mayor Kelley noted the fire commissioners are in need of job descriptions.

Fire contracts for 2011 for Town of Dix and Town of Montour were presented.

Trustee Howell offered a resolution, seconded by Trustee Smith having the approval of the fire chief, authorized fire contracts amounts for 2011 with the Town of Dix for \$39,945 and Town of Montour for \$39,945. AYES: Trustee Howell, Trustee Smith, Trustee King, Trustee Wiedemer. NOES: None. Resolution carried.

Mayor Kelley reported the Restore NY III Grant Disbursement Agreement has been received from Empire State Development for the rehabilitation of the Rural Urban Center and has been reviewed by Attorney Halpin who had a few comments.

Trustee Smith offered a resolution seconded by Trustee Wiedemer authorizing Mayor Kelley to execute the agreement upon approval by the County and by the Village Attorney. AYES: Trustee Smith, Trustee Wiedemer, Trustee King, Trustee Howell. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Howell accepting the agreement with Larson Design Group for evaluation of the Wastewater Treatment Facility and to authorize Mayor Kelley to execute the agreement for an amount of \$17,800. AYES: Trustee Smith, Trustee Wiedemer, Trustee King, Trustee Howell. NOES: None. Resolution carried.

Mike Hughey presented quotes he obtained from Bates Electrical Service and Minard LaFever for installation of 50 amp electrical service to marina campsite #9 and marina campsite #16. Quotes were \$1,250 and \$850 respectively. In addition to each would be \$240 for village labor and equipment expense. Minard estimated an additional \$200.00 for the added distance for campsite #16.

Trustee Smith offered a resolution, seconded by Trustee Howell to approve electricians Bates Electrical Service and Minard LaFever to perform electrical improvements at the marina and further resolved to accept bid of Minard LaFever to install 50 amp service to campsites #9, #16 and further resolved upon deposit of \$1090.00 and \$1290.00 from camper owners the work can be scheduled. AYES: Trustee Smith, Trustee Howell, Trustee Wiedemer, Trustee King. NOES: None. Resolution carried.

Trustee King offered a resolution, seconded by Trustee Wiedemer to set trick or treat hours on October 31<sup>st</sup> between 6-8p.m.

AYES: Trustee King, Trustee Wiedemer, Trustee Howell, Trustee Smith. NOES: None. Resolution carried.

Trustee Smith offered a resolution seconded by Trustee King authorizing a one year agreement with the Montour Falls Library Association for the use of the library building. AYES: Trustee Smith, Trustee Howell, Trustee Wiedemer, Trustee King. NOES: None. Resolution carried.

Mayor Kelley noted all funds have been allocated for the NY Main Street Grant.

Mayor Kelley advised the board, Harold Mattison has left village employment as municipal worker as of September 29, 2010.

Trustee Howell offered a resolution seconded by Trustee Smith to advertise the position of municipal worker at \$11.00/hr. with a 90 day probationary period. AYES: Trustee Howell, Trustee Smith, Trustee King, Trustee Wiedemer. NOES: None. Resolution carried.

Board was in agreement to name Harley Connelly as the backup water operator on an as needed basis in the interim until Lance VanAlstine returns from a work related injury.

Board was in agreement to amending the union agreement to eliminate the second shift hours for the upcoming winter season. Clerk to make contact with the union representative.

Trustee Smith offered a resolution, seconded by Trustee Howell authorizing the purchase of the Read-o Matic/Orion handheld Automatic Meter Reader System starter kit consisting of 30 transmitters for \$11,995.00. AYES: Trustee Smith, Trustee Howell, Trustee Wiedemer, Trustee King. NOES; None. Resolution carried.

Trustee Wiedemer offered a resolution, seconded by Trustee Smith

WHEREAS, there are 71 million working women striving to serve their communities, their states and their nation in professional, civic and cultural capacities;

WHEREAS 40% of privately-held U.S. firms were at least 50% owned by women employing 13 million people and generated 1.9 trillion in sales.

WHEREAS, the major goal of the Southern Finger Lakes Women, a Chapter of New York State Women, Inc. is to promote equality for all women and to help create better conditions for working women through the study of social, educational, economic and political problems; all of us are proud of their leadership in these many fields of endeavor.

WHEREAS, Southern Finger Lakes Women(formerly known as the Watkins Glen Business and Professional Women) founded in 1940, is proud to be celebrating its 70<sup>th</sup> year as a Chapter of New York State Women, Inc. Southern Finger Lakes Women is a local organization of women helping women.

NOW THEREFORE, I, Donna Kelley, Mayor of the Village of Montour Falls by th4e authority vested in me, do hereby proclaim the week of October 18-22, 2010 as National Business Women's Week in the Village of Montour Falls and urge all citizens, all civic and

fraternal groups, all educational associations, all news media and other community organizations to join this salute to working women. Encourage and promote the celebration of the achievements of all business and professional women as they contribute daily to our economic, civic and cultural purposes. AYES: Trustee Smith, Trustee Howell, Trustee Wiedemer, Trustee King. NOES: None. Resolution carried.

Board discussed the parking lot behind Main Street stores, the plans for improvements through the TEP grant and the recent request for a right of way from the Montour Pharmacy. A letter will be sent to Larry Jepson owner of the Montour Pharmacy requesting a site plan and alternatives to support his request for a right of way for a drive up window.

Mike Hughey reported:

on his plans for surface paving this fall will include West Broadway, N. Mulberry Street from Clawson Blvd to West Broadway, N. Seneca Street from Clawson Blvd to West Broadway and Rock Cabin Road.

Turner Park modifications-storm drain will be located on the South side of the street rather than north side due to the identified location of the gas line.

Tree roots on West Main Street trees can be cut without injury to tree per recommendation of Stan Beaver, Stillman's Greenhouse and new concrete blocks will be replaced where roots caused sidewalk damages. Stan Beaver also offered to assist with trimming trees this winter.

Marina project-Electric is three-fourths completed. Minard LaFever has requested to be paid half of his contract. Time Warner is working on installation of cable.

Mayor Kelley reported she has not received a date from the stamping contractor. She will continue to call him weekly.

Trustee Howell inquired about the lighted county highway signs for The Falls Harvest Festival. He will speak to Greg Mathews about placement. Board was in support of sponsoring the fire truck rides during the event. Fire Chief will be asked to call fire fighters for volunteers.

Concern for the deterioration of the colored concrete plaza in the Falls Park was mentioned. Mike Hughey will attempt to reach F&J Masonry.

Trustee King noted he is working with the webmaster for the village website and will share updates as they develop.

Jeff Confer, Board of Fire Commissioners discussed the ladder truck damage with the board. He noted the ladder truck was insured for \$40,000. He also noted the commissioners were concerned for the difference in repair estimates. Jeff added the insurance company will pay for the ladder certification test once the repair is made. The board agreed to hold the insurance reimbursement check for the ladder truck repair. Mayor Kelley stressed the need for job description for the Board of Fire Commissioners and suggested the commissioners draft this document.





Trustee Smith offered a resolution, seconded by Trustee Wiedemer to accept the bid from Simmons Rockwell in amount of \$37,297.50 for a 2011 Chevrolet Suburban 2500 to replace the existing GR-9 emergency/rescue vehicle and further resolved delivery is anticipated the first to mid-January 2011. AYES: Trustee King, Trustee Wiedemer, Trustee Smith. NOES: None. Resolution carried.

Bid opening for the conversion of the Chevrolet Suburban for a rescue vehicle is scheduled for 11:00am on December 7, 2010.

Marina manager, Harold Brown was present to report on the 2010 season and offered his suggestions for 2011 season. The new sites have all been reserved for the 2011 season. He recommended the following for the next year season:

- All camper sewer connections are to be made with PVC pipe.
- Site numbers be placed on camper units, eliminating need for Number posts at each site.
- Purchase of 50 fire rings and 50 picnic tables for new sites.
- Purchase updated key chains.
- Update advertisement in Good Sam's Club publication.

Mr. William Christoffels presented the board with a revised lease agreement with the changes requested by the village attorney for the use of the village hall upstairs. This revised lease will be reviewed again by Attorney Halpin.

Trustee Smith offered a resolution, seconded by Trustee Wiedemer to place an ad in Life in the Finger Lakes winter and spring editions for the Montour Falls Marina and Campground. AYES: Trustee Smith, Trustee Wiedemer, Trustee King. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Wiedemer to renew membership with the Finger Lakes Tourism for the Montour Falls Municipal Marina & Campground and for the Village in general. At a cost of \$325.00 each. AYES: Trustee Smith, Trustee Wiedemer, Trustee King. NOES: None. Resolution carried.

Trustee Wiedemer offered a resolution, seconded by Trustee King to adopt a new fee schedule dated November 1, 2010 for building permits as proposed by code officer Dean Hillyard based on construction and resolved the fees become effective immediately:

Permit Fee schedule

Construction Value	Permit Fee
0-\$600	\$25.00
\$600-\$2,000	\$45.00
\$2,001-\$25,000	\$45.00 for the 1 <sup>st</sup> \$2,000 plus \$3.00 for each additional \$1,000 or part thereof
\$25,001-\$50,000	\$120.00 for the 1 <sup>st</sup> \$25,000 plus \$2.00 for each additional \$1,000 or part thereof
\$50,000-\$100,000	\$180.00 for the 1 <sup>st</sup> \$50,000 plus \$2.00 for each additional \$1,000 or part thereof
\$100,000-\$500,000	\$300.00 for the 1 <sup>st</sup> \$100,000 plus \$2.00 For each additional \$5,000 or part thereof
\$500,000 to \$1 million	\$700.00 for the 1 <sup>st</sup> \$500,000 plus \$2.00 For each additional \$5,000 or part thereof
\$1 million to \$5 million	\$1300.00 for the 1 <sup>st</sup> million, plus \$2.00 for Each additional \$1,000. or part thereof

Inspection fees:

Areas of public assembly \$50.00 follow-up visit-no charge  
Each additional visit \$15.00

Multiple Dwellings \$40.00 +\$10.00 each unit over three  
Each additional visit \$15.00 per unit

Businesses \$75.00 (over 2500 sq ft) \$40.00 Small  
follow-up visit- no charge- Each additional  
visit \$25.00 each

AYES: Trustee Wiedemer, Trustee King, Trustee Smith, NOES: None.  
Resolution carried.

Mayor Kelley advised the board, Dean Hillyard will be back to working 15 hours per week, Monday, Tuesday, Wednesday. Board discussed that additional hours/salary should be considered for a next year's budget.

Trustee Smith offered the following bond resolution, seconded by Trustee Wiedemer.

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, STREETScape IMPROVEMENTS IN AND FOR THE VILLAGE OF MONTOUR FALLS, SCHUYLER COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$555,500 AND AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$555,500 SERIAL BONDS OF SAID VILLAGE TO PAY THE COST THEREOF.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, it is now desired to authorize such capital project and its financing;

NOW, THEREFORE, BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Montour Falls, Schuyler County, New York, as follows:

Section 1. Streetscape improvements at Main Street, in and for the Village of Montour Falls, Schuyler County, New York, including road reconstruction and incidental improvements and expenses in connection therewith, is hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$555,500.

Section 2. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$555,500 of serial bonds of the Village hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law; PROVIDED, HOWEVER, that to the extent that any grants-in-aid are received for such specific object or purpose, the amount of bonds to be issued pursuant to this resolution shall be reduced dollar for dollar.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years, pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Village of Montour Falls, Schuyler County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Village, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the

serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. Pursuant to the provisions of Section 36.00 of the Local Finance Law, this resolution is adopted subject to permissive referendum.

AYES: Trustee King, Trustee Wiedemer, Trustee Smith, Mayor Kelley

NOES: None. Resolution carried.

Trustee King offered a resolution, seconded by Trustee Smith authorizing Mayor Kelley to execute an agreement with Delta Engineers for a maximum amount of \$147,987 for services of consultant in connection with the TEP grant. AYES: Trustee King, Trustee Smith, Trustee Wiedemer. NOES: None. Resolution carried.

Trustee King offered a resolution, seconded by Trustee Smith to authorize a letter of support and participation with the Northeast Recycling ability to provide training to a DPW employee on the Best Management Practices for Handling Organics in Rural and Small Towns. AYES: Trustee King, Trustee Smith, Trustee Wiedemer. Noes: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Wiedemer authorizing the purchase of 30 additional new Read-o Matic meters for replacement at \$178.00 each and using unappropriated fund balance in amount of \$2,340 to provide adequate funds in water budget appropriation F8340.2. AYES: Trustee Wiedemer, Trustee Smith, Trustee King. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee King approving a contract with Paul Mayor @\$97.00 per hour for upcoming contract negotiations with the Teamster Union labor agreement. AYES: Trustee Smith, Trustee King, Trustee Wiedemer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Wiedemer authorizing release of \$3500.00 in advance to Steve Silliman for the construction of the cemetery building. AYES: Trustee Smith, Trustee Wiedemer, Trustee King. Resolution carried.

Board members were provided with reading material on rental inspection laws by Mayor Kelley and suggested the board consider enacting regulations on rental units in the Village.

Trustee Smith offered a resolution, seconded by Trustee Wiedemer to reschedule the December 6<sup>th</sup> meeting to Tuesday December 7<sup>th</sup> and to cancel the December 20<sup>th</sup> meeting. AYES: Trustee Smith, Trustee Wiedemer, Trustee King. NOES: None. Resolution carried.

Mayor Kelley reported the Montour Falls Memorial Library has executed an agreement with the Village for use of the building. Transfer of ownership will not be pursued at this time.

Mayor Kelley reported the washing machines at the Montour Falls Marina & Campground have had to be repaired twice and is covered under the one year warranty.

Trustee Smith offered a resolution, seconded by Trustee Wiedemer authorizing refund of \$10.00 key deposit to Karl Colburn. AYES: Trustee Smith, Trustee Wiedemer, Trustee King. NOES: None.

Board received a letter of appreciation from Carl and Lois Scott in regard to the board's approval to waive sewer charges for water use for their newly planted trees. As it turned out the trees were adequately watered by the rain and no adjustments were made.

Trustee Smith offered a resolution, seconded by Trustee Wiedemer authorizing payment of bills on the General Abstract \$72,863.19, Water Abstract \$4,477.01, Sewer Abstract \$3,723.90, Marina Improvement Capital Projects \$6,739.40. AYES: Trustee Smith, Trustee Wiedemer, Trustee King. NOES: None. Resolution carried.

Trustee King offered a resolution, seconded by Trustee Smith to enter into executive session for the purpose of employment history of an individual. AYES: Trustee King, Trustee Smith, Trustee Wiedemer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee King to adjourn the executive session. AYES: Trustee King, Trustee Smith, Trustee Wiedemer. NOES: None. Resolution carried.

Board received the monthly report from Wastewater Treatment Plant Operator, John Raplee.

Trustee King offered a resolution, seconded by Trustee Wiedemer to hire Cullen Sokolowski as municipal worker at \$11.00/hour on a 90 day probationary period subject to pre-employment and drug testing. AYES: Trustee King, Trustee Wiedemer, Trustee Smith. NOES: None. Resolution carried.

Trustee Wiedemer offered a resolution, seconded by Trustee Smith authorizing an hourly increase of \$1.98 to Mike Thomas and Lance VanAlstine. AYES: Trustee Wiedemer, Trustee Smith, Trustee King. NOES: None. Resolution carried.

Trustee Smith offered a motion to adjourn, seconded by Trustee Wiedemer. Carried unanimously.

Respectfully submitted,

Suzanne Casselberry, Clerk-Treasurer

Regular Board Meeting

November 15, 2010

7:00p.m.

Present- Mayor Donna Kelley, Trustees James Howell, John King  
Sharon Wiedemer, Phil Joe Smith.

Absent – None.

Also present- Clerk–Treasurer Suzanne Casselberry, Residents Steve  
Lawton.

Mayor Kelley called the meeting to order and asked for the Pledge of Allegiance.

The minutes of the November 1, 2010 meeting were presented.

Trustee Smith offered a resolution, seconded by Trustee Wiedemer to retract the resolution from the November 1st meeting authorizing an hourly increase of \$1.98 to Mike Thomas and Lance VanAlstine, and hold further action for labor negotiations. AYES: Trustee Smith, Trustee Wiedemer, Trustee Howell, Trustee King. NOES: None. Resolution carried.

Trustee Smith offered a resolution seconded by Trustee Howell to approve the minutes of the November 1, 2010 meeting as presented. AYES: Trustee King, Trustee Wiedemer, Trustee Smith, Trustee Howell. NOES: None. Resolution carried.

## PUBLIC PARTICIPATION

Bonnie Romeo, long time village resident of Broadway Street commented on the recent paving of West Broadway. She stated in some sections the street is as high as 7", and creates a concern for bicycle/traffic safety. The paving lanes are far from straight and there is no shoulder. She noted that some years back, family relatives installed curbing at their property and were instructed by the Village this was not permitted and the curbing was removed. Bonnie noted without curbing and proper drainage, years of material has built up and covered over a historical slate carriage step. Bonnie also reported a water valve cover that had broken in half was never replaced only bolted on one side. Mayor Kelley reassured Bonnie and the board that the paving project is being addressed at both West Broadway and Rock Cabin Road and shoulders will be completed as soon as the street is in an acceptable condition. Mayor will see that the water valve cover is replaced.

Jody Saunders of West Main Street advised the board of her ongoing problem with irresponsible pet owners walking dogs and not cleaning up behind them. She operates a busy day care and the dog mess tracks inside. She inquired if the village would or could she place a sign at her property. She has tried confrontation however the nuisance continues. Trustee Smith suggested public awareness by way of HiLites. Another suggestion found in other communities would be to install posts with dog pickup bags.



Mr. William Christoffels presented the board with a final draft of a lease for the upstairs Village Hall and included modifications requested by the Village Attorney. He is currently planning to have Friday evening and Saturday shows with rehearsals on Wed evenings. He noted code enforcement estimated the occupancy at 160.

Trustee Smith offered a resolution, seconded by Trustee King to approve the lease agreement and authorize Mayor Kelley to execute the five year lease agreement. AYES: Trustee King, Trustee Wiedemer, Trustee Smith, Trustee Howell. NOES: None. Resolution carried.

Mr. Christoffels noted that there is a section of ceiling in the upstairs that will need to be repaired.

Trustee King offered a resolution, seconded by Trustee Howell to schedule a public hearing for January 4<sup>th</sup> at 7:30p.m. for Local Law #1-2011 amending the zoning law to require that applicants for site plan or special use permits make notification to adjoining property owners. AYES: Trustee King, Trustee Wiedemer, Trustee Smith, Trustee Howell. NOES: None. Resolution carried.

Board was informed of recent acts of vandalism that occurred at the firemen's field, at the Falls Park and Main Street building windows were broken that prompted discussion on renewal of the Agreement for Specialized Law Enforcement with the Schuyler County Sheriff. The Board agreed that a police presence may help to deter this behavior however half the year has passed without prior incident and questioned if expending funds for the additional patrol is really a priority.

Trustee Smith offered a resolution, seconded by Trustee Wiedemer to approve Mayor Kelley's appointment of William Hall to the Planning Board to fulfill the unexpired term of John King. AYES: Trustee King, Trustee Wiedemer, Trustee Smith, Trustee Howell. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Wiedemer authorizing Minard LaFever to proceed with installation of electrical poles and lights for the new marina campsites at \$65.00 per pole and further resolved material to be supplied by the village. AYES: Trustee King, Trustee Wiedemer, Trustee Smith, Trustee Howell. NOES: None. Resolution carried.

Trustee Wiedemer offered a resolution, seconded by Trustee Howell to authorize the Water/Wastewater Operator to use Hartman Electric for electrical needs for the sewer pump stations and treatment plant facilities. AYES: Trustee King, Trustee Wiedemer, Trustee Smith, Trustee Howell. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee King to authorize a pro-rated refund of \$882.00 to Steven Martinson for docks #22N & 22S that he did not use after July 1 of this 2010 season. AYES: Trustee King, Trustee Wiedemer, Trustee Smith, Trustee Howell. NOES: None. Resolution carried.

Board was advised of increase in health insurance rate for Excellus Blue Cross-Blue Shield as of January 1, 2011.

Trustee Howell offered a resolution, seconded by Trustee Wiedemer  
 BE IT RESOLVED that the Village of Montour Falls hereby establishes the following as standard work day for elected or appointed officials and will report the following days worked to the NYS and Local Employees Retirement System based on the record of activities maintained and submitted by these official who is a member of the NYS and Local Employees Retirement system to the clerk of this body:

OFFICIAL NAME	TITLE	SOCIAL SECURITY#	RETIREMENT REGISTRATION#	STANDARD WORK DAY	TERM OF OFFICE	PARTICIPATES IN EMPLOYERS TIME KEEPING SYSTEM	DAYS PER MONTH
Philip J. Smith		XXXX	XXXX	6	4/1/10- 3/31/12	N	.5

AYES: Trustee Howell, Trustee Wiedemer, Trustee King. ABSTAINED: Trustee Smith.  
 Resolution carried.

Mayor Kelley advised the board members, the Montour Coffee House is making application for a wine bar.

Mayor Kelley advised the board the owner of newly opened Sal's Pub has requested removal of the overgrown tree in front of their establishment. They would be willing to plant a smaller tree. Board discussed the size of all the trees along Main Street that block view of businesses and in some cases growing into the building facade. Board envisioned the idea of removal of the overhead electrical wires and replacing the street lighting with street lamps.

Trustee Smith offered a resolution, seconded by Trustee Wiedemer to authorize the tree at 230 West Main Street be removed and further resolved no replacement will be made at this time. AYES: Trustee King, Trustee Wiedemer, Trustee Smith, Trustee Howell. NOES: None.  
 Resolution carried.

Mayor Kelley updated the board on the improvements taking place for the library building under the NY Main Street grant. The electrical and the basement reinforcement contracts have been signed. Trustee King noted the library has the funds to cover the local share of improvements.

Mayor Kelley advised the board, the fire department have requested use of the DPW site for auto extrication training and noted they have been instructed the debris must be cleaned up immediately after training.

Board was in agreement to (weather permitting) leaving the Montour Cemetery open until after the Christmas holiday.

Trustee Howell gave the board an update on the activities of code enforcement. In addition to monitoring the open projects, Dean is working on fire inspections.

Trustee King reported having attended a thanksgiving gathering at the Catharine Court Apartments. He has toured the wastewater treatment plant. He is working on the website with Randy Deal.

Trustee Smith reported the landfill is awaiting final report on the testing that was completed this fall. He also commented on the condition of the sidewalk at the post office. He felt it was not only unsightly, but in some cases is a safety concern. Trustee Smith suggested the village consider making the sidewalk repairs/replacement as done in other sections of the business district.

Trustees discussed how to improve parking designation on Montour Street noting cars are still parking on the east side of Montour Street.

Trustee Wiedemer offered a resolution, seconded by Trustee Smith authorizing payment of bills on General Abstract \$48,033.39, Water Abstract \$5,197.31, Sewer Abstract \$10,134.23, Capital Projects Marina Improvement Project \$4,243.04.

Trustee Smith offered a motion to adjourn the meeting at 8:45p.m., seconded by Trustee Wiedemer. Carried.

Respectfully submitted,

Suzanne Casselberry

Regular Board Meeting

December 13, 2010

7:00p.m.

Present- Trustees James Howell, Sharon Wiedemer, Phil Joe Smith.

Absent – Mayor Donna Kelley, Trustee John King.

Also present- Clerk–Treasurer Suzanne Casselberry, Residents Mike and Christina Hughey, Fire Chief Tom Carson.

In the absence of Mayor Kelley, Deputy Mayor Phil Joe Smith called the meeting to order and asked for the Pledge of Allegiance.

The minutes of the November 15, 2010 meeting were presented.

Trustee Howell offered a resolution seconded by Trustee Wiedemer to approve the minutes of November 15, 2010 with grammar correction. AYES: Trustee Howell, Trustee Wiedemer, Deputy Mayor & Trustee Smith. NOES: None. Resolution carried.

One bid was received and opened on December 7, 2010 for the Conversion of a 2011 Chevy Suburban for use as an emergency rescue vehicle. Tyler Fire Equipment bid was \$26,273.00.

Trustee Howell offered a resolution, seconded by Trustee Wiedemer to accept the bid from Tyler Fire Equipment and award the purchase contract for the conversion of the 2011 Chevy Suburban vehicle in amount of \$26,273.00. AYES: Trustee Howell, Trustee Wiedemer, Deputy Mayor & Trustee Smith. NOES: None. Resolution carried.

Fire Chief Tom Carson reported to the board his plans to purchase a new rescue saw for motor vehicle extrications on newer hybrid models. He has an opportunity to purchase the equipment after light use as a demo model for \$984.50. Although this item was not budgeted, he feels comfortable that this purchase will be within his budget.

A boundary line agreement has been prepared for property owned by Alton Annabel 314 East Main Street. The agreed upon boundary line will be at the existing chain link fence line.

Trustee Wiedemer offered a resolution, seconded by Trustee Howell to approve the boundary line agreement with Alton Annabel for property at 314 E Main Street and authorize Mayor Kelley to execute the agreement. AYES: Trustee Howell, Trustee Wiedemer, Deputy Mayor & Trustee Smith. NOES: None. Resolution carried.

Trustee Howell offered a resolution, seconded by Trustee Wiedemer to authorize Mayor Kelley to execute the RESTORE NY III Grant Disbursement Agreement as revised and approved by Attorney Halpin for development of the Union School-West Broadway Revitalization former Rural Urban building by Nelson Development. AYES: Trustee Howell, Trustee Wiedemer, Deputy Mayor & Trustee Smith. NOES: None. Resolution carried.

Trustee Wiedemer offered a resolution, seconded by Trustee Howell to authorize an agreement for general engineering consulting with Larson Design Group for 2011. AYES: Trustee Howell, Trustee Wiedemer, Deputy Mayor & Trustee Smith. NOES: None. Resolution carried.

Trustee Howell offered a resolution, seconded by Trustee Wiedemer acknowledging that the SEARCH grant is unavailable at this time, authorized Larson Design Group to proceed with the engineering study on the wastewater treatment plant per executed agreement AYES: Trustee Howell, Trustee Wiedemer, Deputy Mayor & Trustee Smith. NOES: None. Resolution carried.

Trustee Howell offered a resolution, seconded by Trustee Wiedemer to declare one Bandit Chipper and one 1997 Chevy Suburban(formerly incident command vehicle) surplus AYES: Trustee Howell, Trustee Wiedemer, Deputy Mayor & Trustee Smith. NOES: None. Resolution carried.

Trustee Howell offered a resolution, seconded by Trustee Wiedemer to retain the 1997 Chevy pickup for the general use by the code enforcement officer. AYES: Trustee Howell, Trustee Wiedemer, Deputy Mayor & Trustee Smith. NOES: None. Resolution carried.

Bids were obtained for repair work at the DPW facility. Cannioto Builders \$5950.00, D&L Contractors \$6100.00, Ely Smith \$8300.00. Work consists of rotted support beam in truck bay, sagging rafter roof in storage garage and new roof on small garage.

Trustee Wiedemer offered a resolution, seconded by Trustee Howell to hire Cannioto Builders to complete the repair work at the DPW facility consisting of support beams, rafter roof and new roof for \$5950.00. AYES: Trustee Howell, Trustee Wiedemer, Deputy Mayor & Trustee Smith. NOES: None. Resolution carried.

Additional proposals are to be obtained for plaster repairs of the upstairs village hall ceiling.

Bids were obtained for tree removal along village streets from Acorn Tree Service \$8900.00, Gee Tree Service \$9000.00. Board agreed to contract with the local tree Service.

Trustee Wiedemer offered a resolution, seconded by Trustee Howell to hire Gee Tree Service for \$9000.00 contingent on their proper insurance coverage. AYES: Trustee Howell, Trustee Wiedemer, Deputy Mayor & Trustee Smith. NOES: None. Resolution carried.

Deputy Mayor and Trustee Smith spoke about mapping out trees in the right of way to identify any disease spreading emerald bore ash trees that have become of great concern and to monitor condition of all trees.

Watkins Glen Area Chamber of Commerce annual banquet/meeting will be held January 22, 2011. Board approved of covering the \$75.00 cost for Trustee Howell to attend as a representative of the village.

Deputy Mayor & Trustee Smith noted that additional trees along West Main Street businesses that have uprooted sidewalk blocks were removed (with business owner's request). Board discussed possibilities of replanting dwarf trees. Remaining trees should be trimmed this winter. Board discussed general condition of sidewalks on Main Street  
Mike Hughey to obtain quotes for sidewalk replacement at the post office property.

Mike Hughey reported:

- 1- He will be ordering winter tires for the new pickup truck that came with summer tires only.
- 2- Shoulders have been installed on Broadway/ Rock Cabin Road. New water valve cap will be installed at Broadway Street address this week. Board discussed curbing on Broadway. Board requested Mike observe the flow of drainage on Broadway for the board's further discussion.

Trustee Howell noted the storm sewer project was started on Turner Park and the first catch basin has been installed and allowed the residential drain pipe to be connected thus relieving the street of ice formation that existed last winter.

Trustee Howell reported the republican party will no longer hold a caucus for village elections.

Trustee Howell reported a shoulder condition at Macri's on Steuben Street that needs crusher run. Mike Hughey will follow up.

Trustee Wiedemer reported no activity on the county planning commission relating to the village. The most recent approval was for the Humane Society in the Town of Catharine.

Deputy Mayor and Trustee Smith reported ice pooling from a surface discharged sump pump in the rear of the Main Street stores that appears to be coming from the new pub establishment. Mike Hughey/code enforcement to follow up.

Deputy Mayor and Trustee Smith reported analysis on the test holes from the landfill has been received. The commission will be meeting to discuss the results.

Fire Commissioner Jeff Confer reported to the board the ladder truck GL18 presently at the service center for repair is reported to have a broken axle on right side and cracked axle on the left. Used axles may be obtained for repair, however it is uncertain if the insurance company will view the damage as a result of the August 1 accident. If it can be determined that the repair will be covered by insurance, the repair should proceed, if not, the board will discuss further action at the January 4<sup>th</sup> meeting.

Trustee Wiedemer offered a resolution, seconded by Trustee Howell authorizing the payment of bills on General Fund Abstract #9 \$91,418.28, Water Fund \$8,744.95, Sewer Fund \$3,074.14, Capital Projects NY Main Street Grant \$24,612.00 Capital Project CHIPS Fund \$54,684.36. AYES: Trustee Howell, Trustee Wiedemer, Deputy Mayor & Trustee Smith. NOES: None. Resolution carried.

Trustee Howell offered a resolution, seconded by Trustee Wiedemer to enter into executive session for a personnel matter relating to employment. AYES: Trustee Howell, Trustee Wiedemer, Deputy Mayor & Trustee Smith. NOES: None. Resolution carried.

Trustee Howell offered a resolution, seconded by Trustee Wiedemer to adjourn the executive session. AYES: Trustee Howell, Trustee Wiedemer, Deputy Mayor & Trustee Smith. NOES: None. Resolution carried.

Trustee Wiedemer offered a resolution, seconded by Trustee Howell to adjourn the meeting at 9:10pm. AYES: Trustee Howell, Trustee Wiedemer, Deputy Mayor & Trustee Smith. NOES: None. Resolution carried.

Respectfully submitted,  
Suzanne Casselberry, Clerk-Treasurer

