

REGULAR MEETING, TOWN OF MOUNT HOPE, DECEMBER 9, 2014
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The regular meeting of the Town Board of the Town of Mount Hope was held at Town Hall on **December 9, 2014** at 7:30pm with the following present: Supervisor Chad Volpe, Councilman Matt Howell, Councilman Gary Ketcham, Councilwoman Sutherland, Councilman Dominick Cambareri and Town Clerk Kathleen Myers.

OFFICIALS PRESENT: D. Hassenmayer – H'way Supt., Chief Rickard, M. Horzepa, D. Bavoso - Attorney.

Following the Pledge of Allegiance, Supervisor Volpe called the public hearing for the proposed Local Law #5-2014 re: TOWING to order at 7:20pm.

PUBLIC HEARING FOR PROPOSED LOCAL LAW #5-2014 ENTITLED: TO GOVERN VEHICLE TOWING WITHIN THE TOWN OF MOUNT HOPE:

Town Clerk stated the copy of the public hearing notice is available on the table as well as copies of the proposed law. Supervisor Volpe asked if anyone had questions.

D. Anderson asked re: business hours and rates. Normal business hours are 8-5 not 8-8. Chief Rickard added that the law was modeled after Port Jervis' law. Other municipalities around us are doing those hours. D. Anderson stated to come in after normal business hours should be at a different rate. Are rates set for accidents, impounds? Chief Rickard: that is for when you come off our list – that's what you are able to charge. D. Anderson: accident tows are different than impound tows; and it's hard to justify a fixed rate. My response times are one of the best. Chief Rickard: one of the issues we've had – we had one woman charged \$1,000 for an accident at 10:00am. Her insurance company told her that was outside a customary rate. That's the latest example. Atty. Bavoso: In the interest of trying to make it as equal as possible for everybody who is in an accident or the police need to bring a tow truck out, it gives an anticipatory rate so they know what to expect. The point is to try to keep it in that range. D. Anderson suggested that impound rates be different than accident rates. Atty. Bavoso: if you look at the text of the law it says the rate is for just the towing excluding the incidental work such as winching and dolly towing. Chief Rickard asked what a fair rate would be to tow a car from an accident or impound? D. Anderson: an accident – you can't tell until you get there. The impound numbers you have are more than fair. Supervisor Volpe: the local law is reading for the tow – so the tow is from A to B. Any additional work they do while they are there is – they can charge additionally. Atty. Bavoso: that's correct. Supervisor Volpe: in my opinion we need to change the hours. It's not changing the law. 8:00am to 5:00pm and leave the other things in there. D. Anderson: asked about the annual fee. He asked if that's per truck or per company? Supervisor Volpe: it's per company. H'way Supt. Hassenmayer: we are constantly picking up car parts along the sides of the road. Last Friday there was an accident on the county bridge on 18. Saturday I went by and the bumper was there and other parts. We are constantly picking up car parts. D. Anderson: the officers need to be on that 100%. I make sure me and my guys pick up. Every truck should have the proper equipment. He spoke re: other town companies picking up vehicle he was dispatched to get. Chief Rickard: in our system, you have the tow for the week. Here you own both cars at that scene. He will address that with the officers at their meeting on Tuesday. Supervisor Volpe: asked for any other questions.

RESOLUTION TO CLOSE PUBLIC HEARING:

MOTION offered by Councilman Howell seconded by Councilwoman Sutherland to close public hearing at 7:32pm. All in favor: Howell, Ketcham, Volpe, Sutherland, Cambareri; carried.

RESOLUTION TO ACCEPT PRIOR MEETING MINUTES:

MOTION offered by Councilwoman Sutherland seconded by Councilman Ketcham to approve the minutes from Nov. 6, 2014, Nov. 17, 2014 and Nov.17, 2014 Joint Meeting as presented. All in favor: Howell, Ketcham, Volpe, Sutherland, Cambareri; carried.

CORRESPONDENCE:

1. Supervisor's report 11-2014
2. Letter from Bavoso & Plotsky re: Horizon Seniors
3. MHFC report 12-1-2014
4. Highway budget modification

REGULAR MEETING, TOWN OF MOUNT HOPE, DECEMBER 9, 2014
www.townofmounthope.org

5. Amended KC Engineering proposal
6. Copy of Local Law #5-2014 re: Towing
7. Building Dept. report 11-2014
8. Letter from Family Promise of the Hudson Valley

At this time, Supervisor Volpe noted that he and Janet attended the Cornell dinner last night. Mount Hope received all the awards arranged on the table.

COMMITTEE REPORTS:

POLICE REPORT by Chief Rickard:

Chief Rickard spoke re: receiving an email from the county for the Graham Tower upgrade. We will hopefully be live during January at some point. This will upgrade the current police system. The PBA contract is good to go. He will print out a clean copy for the Supervisor to sign hopefully for next week. The Use of Force training is a yearly thing set up by the state.

HIGHWAY DEPARTMENT by Supt. Hassenmayer:

Supt. Hassenmayer spoke re: he thanked John Doty for having the fire department bring down 3 loads of water to fill the ice rink. He explained the budget mod is the difference in fuel sales.

SUMMER RECREATION by Trustee Loeven:

Chad, Janet, Mayor and Diane met to have close out meeting for summer recreation. There some recommendations made for next year. The program went very well this summer.

VILLAGE OF OTISVILLE by Trustee Loeven:

She advised the board that she will not be at our next 2 meetings. There may be a substitute for her. The village board meetings will be Jan. 8 & Jan. 22. On behalf of the village board members – Merry Christmas. Atty. Bavoso: asked if Mr. Dallow had spoken to Mayor yet about conflict for Feb. joint public hearing dates? A resolution will be needed to modify the original resolution.

MOUNT HOPE FIRE COMPANY:

Supervisor Volpe thanked John Doty on behalf of the board for filling the ice skating rink. Chief Doty read the report into the record and it will be on file in Town Clerk's office. One firefighter graduated FFI.

OLD SCHOOL:

F. Ketcham stated the committee will meet on 12-17-2014 at 7pm at Presbyterian Church. Mr. Consentino asked Mr. Ketcham if there is any update. Supervisor Volpe: they were 2 different quotes – not apples to apples. He brought Consentino's quote to KC for them to be the same. That was forwarded to the board 1 ½ weeks ago. Councilwoman Sutherland: asked Mr. Ketcham if the committee was broken into sections? F. Ketcham: that was done months ago. 16 members went through a lot of stuff. They went through 3 options. We made a recommendation that it should be revitalized. They will continue to meet and discuss other options. Councilwoman Sutherland: missed the night of the presentation. Was anything broken down that night ie: gymnasium, elevator? F. Ketcham: no quotes on fixing the gym floor. They felt it would be broken out more as research continues. They were waiting on the study for the board to decide. And, to see if it was structurally sound. They are than eager to keep looking at different prices. We need direction. Councilwoman Sutherland asked if it was looked into to take the building down? F. Ketcham: There was 1 quote for that it didn't include any hazmat stuff. \$285,000.00 – did not include hazmat. Supervisor Volpe: We went down the road of selling the building. The #'s spoke that we didn't want to sell it. Councilwoman Sutherland: well, sell it to that particular group. That's still a viable option but then again we can sell it to Gary who can turn around and sell it to the same group that the people didn't want to sell it to. F. Ketcham: that was the 3 options that we sought. Demolition is always an option in the end but it's not hurting us. Supervisor Volpe: if they can get us #'s worst case scenario tearing it down and best case scenario rebuilding...Councilwoman Sutherland agreed. As far as selling it, we cannot say who can and cannot buy the building. Discussion on demolishing. F. Ketcham: 1 thing they envisioned, was having the use of the gym and the stage as an income that could support whatever.

REGULAR MEETING, TOWN OF MOUNT HOPE, DECEMBER 9, 2014
www.townofmounthope.org

OLD SCHOOL continued:

F. Ketcham: you don't have to develop the whole school at the same time. Supervisor: but if needs a heating system then you'd have to put it in the whole building. F. Ketcham: this is all optional yet. We were just talking about doing the report. I got a 2nd quote to try and save a little money. We're spinning our wheels waiting. Supervisor: the 2nd quote from KC everyone got. Do we want to move forward at this time? F. Ketcham: It's totally shut down – you can let it sit there. It's not costing any \$. Councilman Howell: whichever way you do it – the committee gets more information on the 3 topics we discussed and then the report. OR we do the report and it says yes we are good to go. Either way it's – both have to be done. F. Ketcham: why would you want to demolish it? P. Rickard: a ? as a resident not as police chief, do we have the \$ to do this report? Was this budgeted for? We spend \$ on a monthly basis for that building. There's electric, alarm system. It's not all that much but.. Supervisor: thinks it's about \$100-\$150/month. There's options either way. There wasn't money allotted for it. There was money from FEMA for this a couple years ago. We could probably use that money to have the study done. Councilman Ketcham: Thinks the study needs to be done. Councilman Cambareri: The scope of the study was brought down to make it apples to apples. Proposal originally from architect was we may, we may, we may but never actually listed what they would do. They will do study on heat plans, plumbing & structure itself.

RESOLUTION TO ACCEPT REVISED PROPOSAL FROM KC ENGINEERING:

MOTION offered by Councilman Cambareri seconded by Councilman Howell to accept the revised proposal for the old Otisville School and for the Supervisor to sign the contract from KC Engineering in the amount of \$15,000.00 All in favor: Howell, Ketcham, Volpe, Sutherland, Cambareri; carried.

RESOLUTION TO APPROVE LOCAL LAW #5-2014 ENTITLED: TO GOVERN VEHICLE TOWING WITHIN THE TOWN OF MOUNT HOPE:

MOTION offered by Councilman Howell seconded by Councilwoman Sutherland to approve passing Local Law #5-2014 entitled: TO GOVERN VEHICLE TOWING WITHIN THE TOWN OF MOUNT HOPE with changes made to the daily hours/fees as follows: 8:00am to 5:00pm fee established at \$125 and 5:00pm to 8:00am fee established at \$175. (copy on file in Town Clerk's office) All in favor: Howell, Ketcham, Volpe, Sutherland, Cambareri; carried.

RESOLUTION TO SET ANNUAL FEE FOR TOWING COMPANIES:

MOTION offered by Councilman Howell seconded by Councilwoman Sutherland to set the annual fee for towing companies to tow in the Town of Mount Hope at \$50.00. All in favor: Howell, Ketcham, Volpe, Sutherland, Cambareri; carried.

AUDIT OF RECEIPT BOOKS:

Supervisor asked for Gary & Matt to audit the receipt books. Dates to be discussed. Town Clerk asked that once a date is set to let her know so a letter can be sent to department heads.

RESOLUTION TO APPOINT ADAM MCCAREY TO ZONING BOARD OF APPEALS:

MOTION offered by Councilman Ketcham seconded by Councilman Howell to appoint Adam McCarey to the Zoning Board through 12-31-14, filling the vacancy created by Neil Pessin. All in favor: Howell, Ketcham, Volpe, Sutherland, Cambareri; carried.

RESOLUTION TO APPROVE HIGHWAY BUDGET MODIFICATION:

MOTION offered by Councilman Howell seconded by Councilman Cambareri to approve the highway department budget modification as follows:

Increase Revenue Account D2655 Minor Sales by \$13,077.66 AND

Increase Snow Removal C/E D5142.4 by \$13,077.66.

All in favor: Howell, Ketcham, Volpe, Sutherland, Cambareri; carried.

RESOLUTION TO APPROVE SUPERVISOR'S REPORT:

MOTION offered by Councilman Cambareri seconded by Councilman Ketcham to approve the Supervisor's report for Nov. 2014 as presented. All in favor: Howell, Ketcham, Volpe, Sutherland, Cambareri; carried.

REGULAR MEETING, TOWN OF MOUNT HOPE, DECEMBER 9, 2014
www.townofmounthope.org

RESOLUTION TO MODIFY PRIOR RESOLUTION SETTING DATES FOR JOINT BOARD PUBLIC HEARINGS IN FEBRUARY:

MOTION offered by Councilman Howell seconded by Councilman Cambareri to amend a prior resolution setting public hearing dates for the proposed joint fire district on February 9, 10 & 11 to February 10, 11 & 18 at 7:00pm at the Senior Center. All in favor: Howell, Ketcham, Volpe, Sutherland, Cambareri; carried.

RESOLUTION TO AUDIT THE CLAIMS:

MOTION offered by Councilwoman Sutherland seconded by Councilman Ketcham to approve the following bills:

GENERAL A:	#679-745	\$122,794.31
GENERAL B:	#100-109	\$ 10,470.58
HIGHWAY:	#175-193	\$ 73,406.88
SEWER:	#105-111	\$ 3,913.42
MHFC:	#1	\$ 21.41.

All in favor: Howell, Ketcham, Volpe, Sutherland, Cambareri; carried.

PUBLIC PARTICIPATION:

D. Loeven: Mount Hope Seniors are on hiatus. There will be no business meeting in December & January. Exercise will meet weather pending. She spoke re: painting the hall in the future and to be notified so book shelves can be painted as well. Once that's done – they will ask permission to buy from their funds a flat screen TV. She asked Atty. Bavoso if a piece of property is marketed for a specific purpose, ie: assisted living. Can a specific time limit be set in the contract? Atty. Bavoso: yes. It would be a restrictive covenant for any type of land transfer. NYS frowns upon it. Supervisor Volpe asked if there have been heat issues at the senior center? D. Loeven: no.

F. Ketcham: asked for any new information on 7 Peaks. Atty. Bavoso: nothing received recently.

RESOLUTION TO ENTER INTO EXECUTIVE SESSION:

MOTION offered by Councilman Cambareri seconded by Councilman Howell to enter into executive session at 8:14pm to discuss tax certiorari & litigation. All in favor: Howell, Ketcham, Volpe, Sutherland, Cambareri; carried.

RESOLUTION TO RECONVENE REGULAR SESSION FROM EXECUTIVE SESSION:

MOTION offered by Councilwoman Sutherland seconded by Councilman Howell to reconvene regular session from executive session at 9:12pm. NO ACTION WAS TAKEN AT THIS EXECUTIVE SESSION. All in favor: Howell, Ketcham, Volpe, Sutherland, Cambareri; carried.

RECEIPT BOOKS AUDIT:

Councilman Howell stated that he and Gary will do audit on December 20, 2014.

RESOLUTION TO AUTHORIZE THE ATTORNEY TO SIGN THE CERTIORARI AGREEMENT WITH HORIZON SENIORS:

MOTION offered by Councilman Ketcham seconded by Councilman Howell to approve Mr. Plotsky to sign the certiorari agreement with Horizon Seniors. All in favor: Howell, Ketcham, Volpe, Sutherland, Cambareri; carried.

RESOLUTION TO SET PUBLIC HEARING FOR THE HIDDEN VALLEY SEWER DISTRICT:

MOTION offered by Councilwoman Sutherland seconded by Councilman Ketcham to set public hearing on 12-29-14 at 7:25pm for the SPDES permit at HV Sewer Treatment plant. All in favor: Howell, Ketcham, Volpe, Sutherland, Cambareri; carried.

RESOLUTION FOR ADJOURNMENT:

MOTION offered by Councilman Howell seconded by Councilwoman Sutherland to adjourn the meeting at 9:16pm. All in favor: Howell, Ketcham, Volpe, Sutherland, Cambareri; carried.

The next meeting is scheduled for December 29, 2014 at 7:30pm.

Respectfully submitted – Kathleen A. Myers, Town Clerk