

REGULAR MEETING, TOWN OF MOUNT HOPE, AUGUST 9, 2010

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The **regular meeting** of the Town Board of the Town of Mount Hope was held at Town Hall on **August 9, 2010** 7:30pm with the following present: Supervisor William Novak, Councilman Michael Bell, Councilman Greg Stiles, Councilman Ed Fairweather and Town Clerk Kathleen Myers.

NOT PRESENT: Councilwoman Kathy Russo

OTHERS PRESENT: Highway Supt. Dean Hassenmayer, D. Loeven, T. Gilmore, L. Fairweather, I. Stiles, B. Rebman, T. Damiani, T. Cauchard, Justice J. Hosking, Attorney Z. Kelson, S. Carver, Chief Rickard, C. Meere, M. Meere, T. Coppola.

7:00PM PUBLIC HEARING FOR B.A.N. FOR HVWWTP:

Supervisor Novak explained the Notice of Public Hearing is available for review. Supervisor Novak explained the reason for the BAN. The town loaned Money to Hidden Valley to pay for overruns. Mr. Rebman asked how many extras did they get this past year? Mr. Stiles stated that no extra was paid to the contractor since the end of the contract. Money was held back for retainage. He stated that the \$60,000 was negotiated down from \$80-\$85,000.00 for change orders with the electric work. We are in negotiations with the contractor now. There was a ton of control wiring that was not shown/explained. Mr. Rebman asked whose fault it was. Was it E&H? If so, they should pay. Mr. Stiles added that you didn't pay for anything you didn't get benefit from. Did they milk it? They tried to. Did they get it? NO. Several discussions ensued. Mr. Damiani asked what the original loan was for. Supervisor Novak stated \$1.6 million. Mr. Damiani asked why the 1.6 doesn't cover the initial cost. Supervisor stated that he dropped it to 1.2 thinking all the bills were in when the bond was renewed. They weren't and then there was a cost overrun. The town lent money to the fund approx. \$249,000 and we have to pay the town back. He added that he put an extra \$50,000 to get through the winter; hopefully there won't be a need to use it. Mr. Stiles added that essentially we borrowed less than we needed to borrow. Mr. Damiani spoke re: the bond is now \$1.2. Supervisor Novak stated this will renew at \$1.5; everyone will be paid in full after this. Mr. Stiles added that we are waiting on Enviroquip's offer. Supervisor Novak added that he had good news – we are at the top of the list to get money from the Environmental Facilities Corp. for a low interest loan for next year. We were able to recover \$8,000 approx. from FEMA from the rainstorms. We are waiting on the check. Mr. Meere asked about the plant. Supervisor Novak re-explained everything previously stated. Mr. Meere asked if all the work is done. Supervisor Novak stated yes. Mr. Meere asked about a warranty extension. Mr. Stiles stated he didn't think so. Mr. Meere stated that we need the figures before the tax bill comes in – in January. Mr. Meere asked where we stand with E&H? Supervisor Novak stated they are not out of it – they designed the plant. Supervisor closed the public hearing at 7:50pm.

The regular meeting was called to order at 7:50pm following the Pledge of Allegiance by Supervisor Novak. **AT THIS TIME**, Supervisor Novak called for a Moment of Silence for Dolores Hawkins. She was the Town Historian and will be missed.

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ACCEPTANCE OF PRIOR MEETING MINUTES:

MOTION by Mr. Fairweather seconded by Mr. Bell that the minutes of the July 12, 2010 meetings as submitted are approved. All in favor – Bell, Stiles, Novak, Fairweather. Carried.

CORRESPONDENCE:

1. Police Dept. monthly report 07-10
2. Certificate of Insurance re: Football League
3. Copy of letter from A. Dodd re: Ledge Road complaint
4. Letter from IRS re: employment tax examination
5. Amended Investment policy – for approval
6. Building Dept. monthly report 07-10
7. Planning Board monthly minutes 7-19-10
8. Copy of Fuel resolution with Village to be updated
9. Thank you note from Hometown Helpers re: use of pavilion
10. Police resignation re: D. McDonald
11. Police resignation re: L. Fay
12. Police Dept. (2) budget modifications
13. Supervisor's report 6-2010
14. Summer Recreation contract
15. New Vernon Tavern re: liquor license renewal
16. Fire Dept. monthly report June 2010
17. Letter from J. Stewart re: 312 Greenville Tpk.

IRS:

At this time, Supervisor Novak noted that the IRS was here a couple weeks ago to check the records. He read some of the letter. Basically, it was determined that the town does not need an employment tax examination. That is good news.

COMMITTEE REPORTS:

POLICE DEPARTMENT:

Chief Rickard reported that he would like approval to attend a conference for impact records management in September on the 14, 15, 16 in Saratoga at \$145.00 per night. The new car is here and will be lettered on Wednesday. The radios will go in next week. The new evidence lockers are here. The decibel meter was ordered and the calibrator was ordered with it. Good place to try it out might be at the country fair. Lt. Freeman met with the Country Fair Committee so things are moving along well with that. Lastly, he requested executive session for a grievance.

RESOLUTION TO APPROVAL CONFERENCE IN SARATOGA:

MOTION by Mr. Bell seconded by Mr. Stiles to authorize the Chief to attend the IMPACT Records Management Conference held on Sept. 14, 15, 16 in Saratoga (at \$145.00 per night). All in favor – Bell, Stiles, Novak, Fairweather. Carried.

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RESOLUTION TO APPROVE POLICE BUDGET MODIFICATIONS:

MOTION by Mr. Stiles seconded by Mr. Bell to approve the following budget modifications:

FROM Revenue to A3120.2 Police Eq. \$800.00 and

FROM Revenue to A3120.1 Police P/S \$913.72.

All in favor – Bell, Stiles, Novak, Fairweather. Carried.

Supervisor Novak added that the police did a good job with the Otisville Community Yard Sale traffic control. The Chief thanked everyone – he thought things went well. He noted that Lt. Freeman bought the guys lunch and took turns with them while they each ate. Ms. Loeven stated that if he brings the receipt to the Yard Sale Committee they would reimburse him.

HIGHWAY DEPARTMENT:

Mr. Hassenmayer reported that we need to go to bid for the fall trash days. Supervisor Novak stated no resolution is needed now. Mr. Hassenmayer stated the cab and chassis were approved last month for the new truck. Need approval to go to bid for a new heavy duty combination dump body/material spreader, heavy duty plow frame, power reverse plow, patrol wing, central hydraulic system and related accessories (to be installed on a new 2011 International 7500). He asked permission to surplus the following 2 vehicles: 2001 Dodge Pick Up w/ Hydro Stainless Steel Sander & 9' plow AND 1995 International 4800 4X4 w/ sander and plows. He mentioned the fuel resolution with the village and that it needs to be updated.

RESOLUTION TO SURPLUS 2001 DODGE PICK UP AND 1995

INTERNATIONAL:

MOTION by Mr. Fairweather seconded by Mr. Bell to surplus the following 2 vehicles: 2001 Dodge Pick Up w/ Hydro Stainless Steel Sander & 9' plow AND 1995 International 4800 4X4 w/ sander and plows. All in favor – Bell, Stiles, Novak, Fairweather. Carried.

RESOLUTION TO ALLOW HIGHWAY EMPLOYEES TO ASSIST WITH COUNTRY FAIR:

MOTION by Mr. Bell seconded by Mr. Stiles to authorize the Town Highway employees to assist with the Otisville Country Fair as it is advantageous to the community and a joint venture with the Otisville Country fair and the Lions Club. All in favor – Bell, Stiles, Novak. Abstained – Fairweather. Carried.

SUMMER RECREATION:

Ms. Loeven reported that it is the last week already and she mentioned the contract. Supervisor added that he received different figures from Sue Marshall but he has a call in to her.

EMERGENCY MANAGEMENT CENTER:

Mr. Novak spoke re: moving the control center to the fire house. There is more to be discussed in executive session.

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COMMUNITY YARD SALE:

Ms. Loeven stated it was the best ever. It was a great day. Much thanks to the police department.

COMMUNITY ADVISORY BOARD VACANCIES:

Ms. Loeven noted that there is another vacancy due to the passing of Dolores Hawkins. They meet every other month at alternate prisons. They are a conduit between the community and the prisons. They need volunteers to serve on this board.

PLANNING BOARD:

Mr. Gilmore reported the meeting is next week; it has a couple on the agenda. The Grange should be finished this time.

ATV LAW PUBLIC HEARING:

Supervisor Novak stated that this will be tabled until next meeting. The decibel reader and calibrator were ordered.

B.A.N. FOR HVWWTP:

Supervisor Novak asked if there were any further questions. There were none.

RESOLUTION FOR LEAD AGENT:

MOTION by Mr. Fairweather seconded by Mr. Bell that the Town of Mount Hope Town Board deems it is in the public interest to make the increase and improvement of the facilities of the Mount Hope Sewer District and designates itself "lead agent" for the purpose of the SEQR and declares it to be an TYPE II unlisted action. (Public Interest Order attached.) All in favor – Bell, Stiles, Novak, Fairweather. Carried.

RESOLUTION FOR NEGATIVE DECLARATION:

MOTION by Mr. Stiles seconded by Mr. Bell: **RESOLVED**, that the Town of Mount Hope Town Board is making a "negative declaration" as defined by Part 617 of the New York Environmental Law and the SEQR review process and declares that the proposed project will not have a significant effect on the environment. All in favor – Bell, Stiles, Novak, Fairweather. Carried.

BOND RESOLUTION:

MOTION by Mr. Fairweather seconded by Mr. Stiles to approve the bond resolution as attached. All in favor – Bell, Stiles, Novak, Fairweather. Carried.

POLICE RESIGNATION – DAVID MC DONALD:

MOTION by Mr. Stiles seconded by Mr. Bell to accept the resignation from Police Officer David McDonald effective 08-17-2010, with regret. All in favor – Bell, Stiles, Novak, Fairweather. Carried.

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POLICE RESIGNATION – LIAM FAY:

MOTION by Mr. Stiles seconded by Mr. Bell to accept the resignation from Police Officer Liam Fay effective 08-06-2010, with regret. All in favor – Bell, Stiles, Novak, Fairweather. Carried.

SUPERVISOR’S REPORT RESOLUTION:

MOTION by Mr. Stiles seconded by Mr. Bell to approve the Supervisor’s report for June 2010 as submitted. All in favor – Bell, Stiles, Novak, Fairweather. Carried.

FUEL RESOLUTION (WITH VILLAGE OF OTISVILLE):

MOTION by Mr. Stiles seconded by Mr. Fairweather to reaffirm the resolution with the Village of Otisville dated August 4, 2005 regarding Village use of the town fuel storage facility and adding to Number 2 – to be billed at the beginning of each month. Copy attached to end of these minutes. All in favor – Bell, Stiles, Novak, Fairweather. Carried.

2010 INVESTMENT POLICY AMENDMENT:

MOTION by Mr. Bell seconded by Mr. Stiles to amend the 2010 Investment Policy by adding JPMorgan Chase Bank to the list of depositories. All in favor – Bell, Stiles, Novak, Fairweather. Carried.

AUDIT OF CLAIMS:

MOTION by Mr. Fairweather seconded by Mr. Bell to approve the following bills:

GENERAL A:	#369-414	\$81,298.93
GENERAL B:	#80-90	\$ 6,706.21
HIGHWAY:	#141-164	\$81,958.93
SEWER:	#70-81	\$ 6,533.62
PJ LIBRARY:	#2	\$ 1,750.00.

All in favor – Bell, Stiles, Novak, Fairweather. Carried.

PUBLIC PARTICIPATION:

*Mr. Meere spoke re: developers for Hidden Valley and thanked town board and village board with the help at the little league fields.

*Mr. Damiani spoke re: old school.

EXECUTIVE SESSION:

MOTION by Mr. Fairweather seconded by Mr. Bell to enter into executive session at 8:27pm to discuss a particular police personnel and contract negotiations. All in favor – Bell, Stiles, Novak, Fairweather. Carried.

RECONVENE REGULAR MEETING:

MOTION by Mr. Bell seconded by Mr. Stiles to reconvene the regular meeting from executive session at 9:39pm. **NO ACTION WAS TAKEN AT THIS EXECUTIVE SESSION.** All in favor – Bell, Stiles, Novak, Fairweather. Carried.

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EMERGENCY MANAGEMENT:

MOTION by Mr. Stiles seconded by Mr. Bell to authorize the purchase of radios for the police, highway and emergency management office from State bid not to exceed \$21,191.50. All in favor – Bell, Stiles, Novak, Fairweather. Carried.

RESOLUTION TO HIRE PROBATIONARY CLERK FOR THE JUSTICE DEPARTMENT:

MOTION by Mr. Fairweather seconded by Mr. Stiles to hire Lisa Bacigalupo as a probationary clerk for the justice department at a salary of \$9.50 per hour with no benefits. All in favor – Bell, Stiles, Novak, Fairweather. Carried.

BILINSKI/METTELMAN PROPERTY (SBL 13-1-5) CONTRACT:

MOTION by Mr. Fairweather seconded by Mr. Bell to reaffirm the authorization (from previous resolution dated October 26, 2009) for the Supervisor to sign the contracts to effectuate the purchase of the Bilinski/Mettelman property at the purchase price of \$550,000.00. All in favor – Bell, Novak, Fairweather. NAY – Stiles. Carried.

ADJOURNMENT:

MOTION by Mr. Fairweather seconded by Mr. Bell to adjourn the meeting at 9:44pm. All in favor – Bell, Stiles, Novak, Fairweather. Carried.

The next meeting is scheduled for September 13, 2010 at 7:30pm.

Respectfully submitted,

Kathleen A. Myers
Town Clerk