

REGULAR MEETING, TOWN OF MOUNT HOPE, JULY 9, 2012
www.townofmounthope.org

The regular meeting of the Town Board of the Town of Mount Hope was held at Town Hall on July 9, 2012 at 7:30pm with the following present: Supervisor William Novak Jr., Councilman Michael Bell, Councilman Gary Ketcham, Councilman Ed Fairweather, Councilwoman Janet Sutherland and Town Clerk Kathleen Myers.

PUBLIC: W. Rebman, L. Fairweather, T. Gilmore, Z. Kelson / Attorney, Chief Rickard, D. Loeven, M. Horzepa, T. Damiani, B. Rebman, R. Rebman, R. Ketcham, L. Bacigalupo, J. Musial, C. Bates, E. Bates, B. Rivers, J. DeWinter - Engineer.

Following the Pledge of Allegiance, Supervisor Novak called the meeting to order at 7:30pm.

RESOLUTION TO ACCEPT THE PRIOR MEETING MINUTES:

MOTION by Councilman Fairweather seconded by Councilman Ketcham that the minutes of the 06-11-2012 meeting as submitted are approved as presented. All in favor – Bell, Ketcham, Novak, Sutherland, Fairweather. Carried.

CORRESPONDENCE:

1. Letter from Assessor re: Horizon Heights PILOT agreement
2. Letter from Assessor re: building permit issues
3. Police Dept. budget modification
4. Planning Board meeting minutes 6-18-12
5. Police Dept. monthly report 06-12
6. Letter from Father Peter re: thank you note for plaque
7. Building Dept. monthly report 6-12
8. Insurance certificate re: July 8 fireworks
9. Letter from B. Magistro – requesting to be re-instated as police officer
10. Hidden Valley Water Co. Annual report 2011
11. Copy of Police Critical Incident Protocol – for approval
12. Supervisor's report from May 2012
13. Memo from Assessor re: requesting permission to attend classes

COMMITTEE REPORTS:

POLICE REPORT by Chief Rickard:

Chief Rickard reported that Officer Cahill is home and feeling much better. He asked for the Board to vote on the Critical Incident Policy. He stated that the contract was approved by the PBA. Chief Rickard spoke re: Officer Lenane getting hired by the NYPD – which is why he is resigning so quickly. Barrett Magistro asked to be re-instated as a police officer. Chief Rickard asked for approval to hire Arielle Heppes as part time summer help in the clerk's office at the police station. He stated that the budget modification is for Jason Beebe reimbursing the town for ammunition. The fireworks went well. July 4th there were no calls regarding fireworks. He reported that the County is changing the zones to hopefully keep people in their zones. He requested to enter into executive session to discuss ID cards for former employees.

HIGHWAY DEPARTMENT by Clerk Julie Musial:

Mrs. Musial stated that the fireworks display was wonderful. She reported that the walking/bike path is almost a one mile loop. It starts at the driveway entrance closest to the baseball field. She spoke re: the benches to be put along the path. She has fliers out in different places promoting same. Mrs. Musial inquired about allowing dogs on this path. There have been people there with their dogs. Signs would need to be put up stating no dogs are allowed. She asked the boards pleasure on this. Supervisor Novak spoke about a temporary spot. Councilwoman Sutherland spoke re: the feces issue. Discussion ensued. Board agreed to get signs for no dogs allowed. Mrs. Musial spoke re: the credit card issue. The highway department anti-virus program is about to expire; they need to renew but need a credit card. In the past Dean has put on his personal card. Supervisor Novak stated that he has given the policy to Kelly for review and he will check with her. Mrs. Musial reported that the salt shed will be started within 2 weeks.

REGULAR MEETING, TOWN OF MOUNT HOPE, JULY 9, 2012
www.townofmounthope.org

VILLAGE OF OTISVILLE by Councilman Bell:

Councilman Bell stated that he spoke with Village Trustee Melton and there was nothing to report.

HIDDEN VALLEY by Supervisor Novak:

Supervisor Novak stated that he would come back to this as there is a video in the computer for residents to see.

PLANNING BOARD by Chairman Gilmore:

Mr. Gilmore reported that the meeting is next week with one on agenda.

RESOLUTION TO ACCEPT THE SUPERVISORS REPORT:

MOTION by Councilman Bell seconded by Councilman Fairweather to approve the Supervisor's report for May 2012 as presented. All in favor -Bell, Ketcham, Novak, Sutherland, Fairweather. Carried.

RESOLUTION TO APPROVE POLICE BUDGET MODIFICATION:

MOTION by Councilman Bell seconded by Councilman Fairweather to approve the budget modification as follows:

Increase revenue budget by \$538.89 and increase A3120.4 Police C/E by \$538.89. This is for reimbursement for recruit training ammunition for Jason Beebe. All in favor -Bell, Ketcham, Novak, Sutherland, Fairweather. Carried.

RESOLUTION TO ACCEPT POLICE OFFICER ANDREW LENANE RESIGNATION:

MOTION by Councilman Bell seconded by Councilman Ketcham to accept the resignation from Police Officer Andrew Lenane, effective 7-9-12, with regret. All in favor -Bell, Ketcham, Novak, Sutherland, Fairweather. Carried.

RESOLUTION TO RE-INSTATE POLICE OFFICER BARRETT MAGISTRO:

MOTION by Councilman Bell seconded by Councilman Fairweather to withdraw the resignation from Police Officer Barrett Magistro and re-instate him as a police officer for the Town of Mount Hope effective immediately. All in favor - Bell, Ketcham, Novak, Sutherland, Fairweather. Carried.

RESOLUTION TO APPROVE THE CRITICAL INCIDENT PROTOCOL:

MOTION by Councilman Fairweather seconded by Councilman Bell to approve the Critical Incident Protocol as presented. (See end of minutes) All in favor - Bell, Ketcham, Novak, Sutherland, Fairweather. Carried.

RESOLUTION TO HIRE ARIELLE HEPPEAS AS PART TIME SUMMER HELP IN THE POLICE DEPARTMENT:

MOTION by Councilman Bell seconded by Councilman Ketcham to approve the hiring of Arielle Heppes as summer help/part time at \$8.00/hour for the police department. All in favor - Bell, Ketcham, Novak, Sutherland, Fairweather. Carried.

COURT PHONE LINES:

Per Supervisor Novak, the court is requesting an additional phone line. They have call waiting but cannot take more than one call at a time. Discussion ensued. Discussion tabled.

HORIZON SENIORS PILOT AGREEMENT:

Per Supervisor Novak, Horizon Seniors has failed to submit PILOT for 2012. Assessor sent 3 notices.

RESOLUTION TO ACCEPT PILOT AGREEMENT PAYMENT:

MOTION by Councilman Bell seconded by Councilman Fairweather to accept the late payment from Horizon Seniors and defer the late fees to taxes. All in favor - Bell, Ketcham, Novak, Sutherland, Fairweather. Carried.

REGULAR MEETING, TOWN OF MOUNT HOPE, JULY 9, 2012
www.townofmounthope.org

CONTINUING EDUCATION FOR ASSESSOR DENNIS KETCHAM:

Per Supervisor Novak, Assessor Dennis Ketcham is seeking approval to attend a training seminar in Lake Placid 9-30-12 through 10-2-2012. He is eligible for reimbursement for a portion of this \$925.00 cost.

RESOLUTION TO AUTHORIZE TRAINING SEMINAR IN LAKE PLACID FOR ASSESSOR:

MOTION by Councilman Fairweather seconded by Councilman Bell to approve the Assessor's request to attend a seminar in Lake Placid 9-30-12 through 10-2-2012. All in favor – Bell, Ketcham, Novak, Sutherland, Fairweather. Carried.

RESOLUTION TO AUDIT THE CLAIMS:

MOTION by Councilman Bell seconded by Councilman Fairweather to approve the following bills:

ABSTRACT 11:	GENERAL A:	#340-370	\$ 48,887.17
	GENERAL B:	#65-70	\$ 4,682.64
	HIGHWAY:	#91-98	\$148,822.40
	SEWER:	#57-62	\$ 2,131.42 AND
ABSTRACT 12:	GENERAL A:	#371-398	\$ 58,475.12
	GENERAL B:	#71-73	\$ 3,423.67
	HIGHWAY:	#99-105	\$ 18,606.26
	SEWER:	#63-68	\$ 5,511.52.

All in favor – Bell, Ketcham, Novak, Sutherland, Fairweather. Carried.

HIDDEN VALLEY SCOPING VIDEO PRESENTATION (Engineer J. DeWinter):

Mr. DeWinter spoke re: the video taken by the National Water Main Cleaning Company for the scoping and/or cleaning of the sewer lines. They looked at 4450' of lines. For the most part the lines were in good condition. He showed the audience a few pictures on the computer. Mr. Damiani asked how the repairs are being paid. Supervisor Novak stated out of reserves. Mr. DeWinter explained that the INI has cut down 30% already with just the one pipe being fixed.

PUBLIC PARTICIPATION:

**Ms. Horzepa spoke re: commercial real estate sign.

**Mr. Rebman spoke re: obtaining a retirement ID.

**Mr. Rivers spoke re: retirement ID's.

**Mr. B. Rebman spoke re: old Otisville School.

**Ms. Loeven spoke re: dogs at the park and the Otisville Community Yard sale.

**Ms. Musial spoke re: requesting another little league field at the park. Supervisor Novak spoke re: multi-purpose field. Mr. Gilmore spoke re: defer decision to parks committee.

RESOLUTION TO ENTER INTO EXECUTIVE SESSION:

MOTION by Councilman Bell seconded by Councilwoman Sutherland to enter into executive session at 8:52pm to discuss the proposed police contract and a particular police personnel. All in favor – Bell, Ketcham, Novak, Sutherland, Fairweather. Carried.

RESOLUTION TO RECONVENE THE REGULAR MEETING:

MOTION by Councilman Fairweather seconded by Councilman Bell to close executive session at 9:14pm and reconvene the regular meeting. All in favor – Bell, Ketcham, Novak, Sutherland, Fairweather. Carried.

RESOLUTION TO APPROVE THE MEMORANDUM OF UNDERSTANDING:

MOTION by Councilman Bell seconded by Councilwoman Sutherland to approve the Memorandum of Understanding as presented and to direct Attorney Zachary Kelson to put it in contract form for signature. All in favor – Bell, Ketcham, Novak, Sutherland, Fairweather. Carried.

REGULAR MEETING, TOWN OF MOUNT HOPE, JULY 9, 2012
www.townofmounthope.org

At this time, Supervisor Novak added the following:

Vacation time for court clerks will be researched.

Police retirement to be researched – NO ACTION AT THIS TIME.

RESOLUTION TO ADJOURN MEETING:

MOTION by Councilman Bell seconded by Councilwoman Sutherland to adjourn the meeting at 9:15pm. All in favor – Bell, Ketcham, Novak, Sutherland, Fairweather. Carried.

Next meeting is scheduled for August 13, 2012 at 7:30pm in the Town Hall in the meeting room.

Respectfully submitted,

Kathleen A. Myers, Town Clerk



TOWN OF MOUNT HOPE POLICE DEPARTMENT
General Orders

General Order 12-001
Critical Incident Protocol
Effective Date XX/XX/XXXX

Purpose:

The purpose of this General Order is to establish a protocol for police officer (s) involved in critical incidents.

Policy:

It shall be the policy of this agency to immediately commence joint investigations with the Orange County District Attorney's Office and the New York State Police whenever an incident occurs in which death or serious physical injury occurs to a person in police custody or to a police officer.

Definitions:

"Critical incident" shall be defined for this policy only as "when a police officer employed by the Town of Mount Hope Police Department while on duty:

1. Uses deadly physical force, or non-lethal force, which results in the death, or serious physical injury of a suspect or any other person.
2. Is involved in a vehicular crash which results in the death, or serious physical injury of a suspect or any other person.
3. Is involved in an in-custody death of a suspect or prisoner.
4. Is killed or suffers serious physical injury.
5. Any other case in which after consultation, the Chief of Police, the New York State Police and the District Attorney determines that the protocol should be implemented.

Procedures:

1. Upon the occurrence of any of the above "critical incidents", the District Attorney, New York State Police and the Town of Mount Hope Police Department will commence a joint investigation with all agencies providing resources as necessary.
2. Crime scene and other forensic work will be conducted by the New York State Police.
3. The District Attorney, New York State Police, and Chief of Police will determine, in consultation, investigative responsibilities with respect to this protocol.

TOWN OF MOUNT HOPE POLICE DEPARTMENT
General Orders

General Order 12-001
Critical Incident Protocol
Effective Date XX/XX/XXXX

Notifications:

Whenever the Town of Mount Hope Police Department is involved in a "critical incident as defined by this policy, requiring the implementation of this policy the responding officers or other department employee must immediately notify:

1. The Chief of Police; or in his absence, the next ranking officer in the chain-of-command.
2. New York State Police Troop F to request assistance from the Forensic Investigations Unit and the BCI.
3. The on-call homicide/major crimes Assistant District Attorney. The Assistant District Attorney will, in turn, notify a Chief Investigator and the District Attorney, or Acting District Attorney.

Distribution:

This General Order shall be distributed to sworn members.

This General Order shall be effective XXXX by order of:

Paul J. Rickard
Chief of Police