

REGULAR MEETING, TOWN OF MOUNT HOPE, MAY 13, 2013
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The regular meeting of the Town Board of the Town of Mount Hope was held at Town Hall on May 13, 2013 at 7:30pm with the following present: Supervisor William Novak, Councilman Michael Bell, Councilman Gary Ketcham, Councilwoman Janet Sutherland, Councilman Ed Fairweather and Town Clerk Kathleen Myers.

OFFICIALS PRESENT: T. Gilmore – Planning Board Chairperson, Officer A. Vellake & family, Lt. P. Freeman, Officer J. Santiago, Chief P. Rickard, A. Hassenmayer – Deputy Town Clerk, H'way Supt. D. Hassenmayer, W. Melton – Village Trustee, K. Coppola – Village Trustee, D. Cash – Village Trustee, B. Wona – Mayor, Town Atty. Z. Kelson, Officer A. Briceno & family, Officer B. Decker & family, Officer Gaita, S. Clarke – Police Clerk.

Supervisor Novak called the regular meeting to order at 7:30PM, following the Pledge of Allegiance.

RESOLUTION TO ACCEPT OF PRIOR MEETING MINUTES:

MOTION offered by Councilman Bell seconded by Councilman Fairweather that the minutes of the 04-22-2013 meeting as submitted are approved with the following amendment on page 45: the resolution to table the fire contract vote that Councilman Bell did want to vote on the contract at that time. All in favor – Bell, Ketcham, Novak, Sutherland, Fairweather. Carried.

CORRESPONDENCE:

1. Building Inspector's report 04-13
2. Supervisor's report April 2013
3. Letter from NYS DEC re: Annual Compliance Inspection (satisfactory manner)
4. Highway Trash report April 2013
5. Complaint from resident re: 26 School House Road
6. Public hearing notice from T/O Deerpark re: PH on 5/8 - 7pm re: SBL 31-1-21.22
7. Annual Financial report for year ending 12-31-2012
8. Highway Dept. budget modification
9. Letter from F. Simeone re: MHFC Inc. members list for resolution
10. Proclamation for National Police Week 2013
11. Corres. from Mayor Wona re: manpower & equipment for Otisville Fire Co.

COMMITTEE REPORTS:

POLICE DEPARTMENT by Chief Rickard:

Chief Rickard reported that this week is National Police Week and we will be honoring some officers tonight later in the meeting. The Victims Rights Ceremony went well. He thanked Dean and the guys for everything they did to help. Also, 3 benches were donated as a result of this ceremony. Firearms training was last week. Active shooters training will be at the school on June 11& 13 from 4-11pm and on May 30 from 4-11 at Otisville Elem. School. Re-certifications in CPR have been completed. Due to ORMC having some money issues, they will now be charging for blood tests as a result of a DWI arrest. They will go to Bon Secours instead. Chief requested approval to hire Jonathyn Arlotta as a conditional hire and sponsor him for the Phase 2 training. He also asked for permission to attend the Chiefs Training Conference in Philadelphia October 19-23. The cost would be \$1145 plus registration.

RESOLUTION TO HIRE JONATHYN ARLOTTA AS CONDITIONAL HIRE:

MOTION offered by Councilman Bell seconded by Councilman Fairweather to offer a Conditional offer of employment for Jonathyn Arlotta who would be going to phase 2 of the Academy and he will be used as needed. Approval will be to get his medical done. All in favor – Bell, Ketcham, Novak, Sutherland, Fairweather, carried.

RESOLUTION FOR POLICE CHIEF TO ATTEND POLICE CHIEF'S CONFERENCE:

MOTION offered by Councilwoman Sutherland seconded by Councilman Fairweather to authorize the Police Chief, Paul Rickard, to attend the Police Chief's Training Conference in Philadelphia, PA from October 19 through 23rd, 2013. All in favor – Bell, Ketcham, Novak, Sutherland, Fairweather, carried.

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POLICE DEPARTMENT by Chief Rickard (cont.):

Chief Rickard spoke re: purchasing new car off state bid. Car 155 is down and he would like to use the proceeds from the sale of car 151 to help with the purchase of a new vehicle along with money from capital reserve.

RESOLUTION TO AUTHORIZE PURCHASE OF NEW POLICE VEHICLE:

MOTION offered by Councilman Bell seconded by Councilwoman Sutherland to authorize the purchase (off state bid) of a 2013 Chevrolet Police Impala for \$35,953.96 from Hoselton Chevrolet in East Rochester, New York. All in favor – Bell, Ketcham, Novak, Sutherland, Fairweather, carried.

HIGHWAY DEPARTMENT by Supt. Hassenmayer:

Supt. Hassenmayer reported that the park is doing well. Ten benches have been ordered (7 from individuals and 3 by the town). The roof at the barn at the park is leaking and he asked permission to move forward with soliciting bids on a new roof. The board agreed and told Dean to proceed.

VILLAGE OF OTISVILLE:

No report.

HIDDEN VALLEY:

No report.

PLANNING BOARD by Chairman Gilmore:

Mr. Gilmore stated that the meeting is cancelled next week due to no applicants for agenda.

SUMMER RECREATION:

Councilman Bell reported that they have no yet met. Trustee Coppola added that applications have been received for nurse, director and art director already.

JROTC AWARDS:

Supervisor Novak stated that in past years the town has always supported the JROTC with 4 awards. He would like board approval to proceed with this.

RESOLUTION TO APPROVE 4 AWARDS FOR JROTC:

MOTION offered by Councilman Bell seconded by Councilman Fairweather to approve request for 4 awards for JROTC at \$15 each to be given at award ceremony on May 22, 2013. All in favor – Bell, Ketcham, Novak, Sutherland, Fairweather, carried.

FIRE CONTRACT:

At this time, Supervisor Novak asked if anyone from the Village would like to make a presentation. No one came forward. Supervisor Novak stated that he received a list from Mayor Wona; Mayor Wona did not wish to speak. Supervisor Novak asked who would speak from the Mount Hope Fire Co. Lou Dodd and Wayne Melton came forward. Mr. Dodd stated that he's lived here all his life. He is an inactive member of the Otisville Fire Co. He is now the president of the Mount Hope Fire Co. He stated that the firefighters can't all get along and they have their moments. He speaks for all fire fighters and the brotherhood and sisterhood of the members. He spoke of the lies he has heard. He stated the reason that 80-85% of the Otisville Fire Company members that left and formed the Mount Hope Fire Company is because our community and firefighters deserve a planned future one that protects our community and our firefighters. The emergency services should mirror our community's quality. He stated he wanted to apologize that 20 years ago John Bell, Ray Ketcham and Bill Novak asked if the 3 chiefs at that time would help start the Town of Mount Hope Fire Company. John and Ray, God rest their souls said we have the money to do it. We said no we will try to form a fire district so 20 years later here we are. He stated that someone came up to him in the hardware store about emotions not counting. He was insulted & walked away. He spoke of his house burning down when he was 13 and then again one year later. He asked everyone whether for or against to look to themselves and not blame a certain few. He stated that the Mount Hope Fire Company thanked the town board and the supervisor for their help and support. They will not fail them or the community.

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FIRE CONTRACT (CONT.):

At this time, Councilman Bell asked to address the audience. He stated that it doesn't make sense to start a new fire company. Our town has less than 10,000 people. Our volunteers – I love them all. He stated he doesn't see how it makes sense. He spoke of 5 people making 50% of the calls. He doesn't understand how anyone can make a decision already. He stated that Otisville Fire Company has been here for decades and asked why is it so bad all of a sudden? He stated that the building might have problems but did they tell anyone? No. So how can they say anything? He stated that Brian plans on fixing the roof. He asked that being it is going to be on a farm, why don't they have to go before the planning board? And what happens to the farm agriculture exemption? He stated that government is duplicating services so why start a new one? He doesn't understand why we have elections and public hearings if we don't listen to people. He stated that he received the contract from the attorney, Zack Kelson on Friday. He wanted to know why there was a 3 year contract for MHFC; Otisville has a 3 year contract. He recited three specific sections of the fire contract (ie: worker's compensation & obtain material and highway department help).

Councilman Fairweather asked to speak. He stated that he has lived here since he was 12 years old. He asked why are we here? This bothers him. These volunteers risk their lives. He spoke of people putting their names on a list that there's problems - why do we turn a blind eye? That the highway department could be liable? Why bring this up? He stated that he has tried to get answers to every question he has been asked. He doesn't know why Councilman Bell chose now to grandstand. He stated we need to plan for the future. The future will be here before you know it.

RESOLUTION TO ACCEPT THE MEMBERS LIST FOR MHFC INC.:

MOTION offered by Councilman Fairweather seconded by Councilwoman Sutherland to approve the Active Members List from the MHFC Inc. as follows: Richard Bodnar Jr. (16 years old, junior firefighter), Marie L. Bodnar-Doty, Stuart T. Carver, Louis Dodd, Bryan G. Franck, Robert L. Freeman, Keith G. Hedberg, Daniel Pauley and Theresa Willis AND to approve the fire department line officers as follows: Chief John E. Doty Jr., First Assistant Chief Michael J. Masters, Second Assistant Chief Wayne J. Melton, Captain Stuart Carver, First Lieutenant Keith G. Hedberg, Second Lieutenant Michael E. Osborne AND the following persons, still presently active members of another fire department whom were also accepted for active membership effective 11:59pm on May 31, 2013, in order to allow them to serve the Mount Hope Fire Protection and the Village of Otisville until such time as the contract for fire protection services to the Mount Hope Fire Protection District is transferred: Paul V. Barth Sr., Sarina M. Bodnar (16 yrs. old, junior firefighter) John E. Doty Jr., Phil R. Friedle Jr., Jesse J. Grunwald (17yrs. old, junior firefighter), Todd M. Lesko, Christopher M. Markert, Angela E. Masters, Michael J. Masters, James D. McGoldrick, Wayne J. Melton, Ed W. Myslinksi, Michael Eric Osborne, David H. Parlman, Kevin T. Pfliging, Kevin M. See, Harry G. Willis, Mark T. Willis (16 yrs. old, junior firefighter) and Robert Zawasky. All in favor – Bell, Ketcham, Novak, Sutherland, Fairweather, carried.

RESOLUTION FOR LEAD AGENT/SEQR:

MOTION offered by Councilman Fairweather seconded by Councilwoman Sutherland that the Town of Mount Hope Town Board designates itself "lead agent" for the purpose of SQER and declares it to be an unlisted action. All in favor – Ketcham, Novak, Sutherland, Fairweather; **OPPOSED** – Councilman Bell, motion carried.

RESOLUTION FOR NEGATIVE DECLARATION:

MOTION offered by Councilman Fairweather seconded by Councilwoman Sutherland, 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 – Ketcham, Novak, Sutherland, Fairweather; **OPPOSED** – Councilman Bell, motion carried.

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RESOLUTION TO AWARD THE CONTRACT:

MOTION offered by Councilman Fairweather seconded by Councilwoman Sutherland to accept the three year proposal from the Mount Hope Fire Company Inc. in the amount of \$312,924 for fire protection for the year 2013-2014; with a maximum increase of 2% per year for the next two years. All in favor – Ketcham, Novak, Sutherland, Fairweather; Opposed by Councilman Bell; carried.

At this time, Councilman Bell asked why Councilman Ketcham didn't recuse himself. Attorney Kelson stated that this is not required by law for him to do so.

RESOLUTION TO AUTHORIZE THE SUPERVISOR TO SIGN A CONTRACT WITH THE MOUNT HOPE FIRE COMPANY INC.:

MOTION offered by Councilman Fairweather seconded by Councilwoman Sutherland to authorize Supervisor William Novak Jr. to sign the contract with the Mount Hope Fire Company Inc. for a three year contract with the first year being \$312,924.00 and the second year with a 2% increase to \$319,182.48 and the third year with 2% increase at \$325,566.14. All in favor – Ketcham, Novak, Sutherland, Fairweather; Opposed by Councilman Bell; carried. (Contract on file in Town Clerk's Office.)

RESOLUTION FOR THE MHFC INC. EMERGENCY MEDICAL CARE:

MOTION offered by Councilman Fairweather seconded by Councilwoman Sutherland to authorize the Town Supervisor to send a letter to the NYS Department of Health Bureau of Emergency Services that the Mount Hope Fire Company Inc. is authorized to provide emergency medical care as defined by Article 30 of NYS Public Health Law to the Town of Mount Hope. Further, request that the NYS Dept. of Health issue an EMS agency ID code to the Mount Hope Fire Company Inc. All in favor – Ketcham, Novak, Sutherland, Fairweather, Bell, carried.

RESOLUTION FOR MUTUAL AID:

MOTION offered by Councilman Fairweather seconded by Councilwoman Sutherland to authorize the Mount Hope Fire Company Inc. to participate in the Orange County Fire Mutual Aid Plan. All in favor – Ketcham, Novak, Sutherland, Fairweather, Bell. Carried. (Supervisor Novak stated that he needed the Mayor to sign the map that separates the districts.)

2012 ANNUAL REPORT:

Supervisor Novak reported that the 2012 Annual Financial Report was filed on April 29, 2013 with the State Comptroller's office. The notice was already in the Times Herald Record.

RESOLUTION TO APPROVE SUPERVISOR'S REPORT:

MOTION offered by Councilwoman Sutherland seconded by Councilman Ketcham to approve the Supervisor's report for April 2013 as presented. All in favor – Bell, Ketcham, Novak, Sutherland, Fairweather, carried.

RESOLUTION TO APPROVE HIGHWAY BUDGET MODIFICATION:

MOTION offered by Councilman Fairweather seconded by Councilman Bell to approve the following budget modification:

Increase revenue budget from STATE AID CHIPS DB3501 \$18,516.30 and
Increase CONSOLIDATED LOCAL STREET & HIGHWAY IMPROVEMENT PROGRAM
DB5112.2 BY \$18,516.30. All in favor – Bell, Ketcham, Novak, Sutherland, Fairweather,
carried.

RESOLUTION TO AUDIT THE CLAIMS:

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

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|------------|----------|---------------|
| GENERAL A: | #242-285 | \$ 79,785.22 |
| GENERAL B: | #45-53 | \$ 25,948.62 |
| HIGHWAY: | #71-87 | \$ 27,152.75 |
| SEWER: | #43-51 | \$ 13,619.70. |

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

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BOARD COMMENTS:

Supervisor Novak stated that the olive branch is still out there to work this out.

POLICE WEEK:

Chief Rickard asked for the Town Clerk to read the Proclamation. Town Clerk read the Proclamation.

RESOLUTION TO ACCEPT THE PROCLAMATION FOR NATIONAL POLICE WEEK 2013:

MOTION offered by Councilman Bell seconded by Councilwoman Sutherland to approve the PROCLAMATION FOR NATIONAL POLICE WEEK 2013 as presented. (See complete proclamation at end of these minutes.) All in favor – Bell, Ketcham, Novak, Sutherland, Fairweather, carried.

AT THIS TIME, Chief Rickard named the individual officers receiving awards this year. Officer Gaita has returned from serving in Afghanistan. In addition, the following 4 officers were recognized: Officer Bob Decker, Officer Anna Briceno, Officer Jose Santiago and Officer Angelo Vellake. Also present were Lt. Pat Freeman and Police Clerk Sherri Clarke who put the refreshments together. He thanked her for that. Chief Rickard thanked everyone for coming and added that there is cake and coffee to celebrate this occasion after the awards are given out.

RESOLUTION TO ADJOURN MEETING:

MOTION by Councilwoman Sutherland seconded by Councilman Fairweather to adjourn the meeting at 8:23pm. All in favor – Bell, Ketcham, Novak, Sutherland, Fairweather, carried.

At this time, Mike Coppola approached the desk and handed to Town Clerk 9 pages of a petition re: the fire protection contract and they will be on file in the Town Clerk's office.

The next meeting is scheduled for June 10, 2013 at 7:30pm.

Respectfully submitted,
Kathleen A. Myers

**RESOLUTION AUTHORIZING PARTICIPATION IN THE ORANGE COUNTY
FIRE MUTUAL AID PLAN:**

MOTION offered by Councilman Ed Fairweather that the following resolution is adopted:

Resolved, that the Town of Mount Hope approves the participation by the Mount Hope Fire Company Inc. in the Orange County Fire Mutual Aid Plan as now in effect and as amended from time to time ("Plan"); and, be it further

Resolved, that the Town of Mount Hope acknowledges and accepts its financial responsibility for such participation pursuant to General Municipal Law Section 209(2) – (4); and, be it further

Resolved, that Mount Hope Fire Company Inc. agrees to comply with all the provisions of this plan and will respond to all calls for assistance from another fire company or fire department through the County Division of Emergency Communications; and, be it further

Resolved, that the Town of Mount Hope, to the best of its knowledge, knows of no resolution or agreement against "outside service" by Mount Hope fire company or fire department that would affect the power of such company or department to participate in the plan except: none; and, be it further

Resolved that Town Supervisor, William Novak Jr. of the Town of Mount Hope is hereby authorized to sign the plan; and, be it further

Resolved, that Wayne Melton will deliver to the County of Orange Fire Coordinator, an executed copy of the plan and a certified copy of this resolution upon adoption.

Councilwoman Sutherland seconded this resolution.

VOTED: In favor - 5 Opposed: none Abstained: none

5-13-2013
DATE

Kathleen A. Myers (Certification)

Town Clerk (Title)

Proclamation for National Police Week 2013

To recognize National Police Week 2013 and to honor the service and sacrifice of those law enforcement officers killed in the line of duty while protecting our communities and safeguarding our democracy.

WHEREAS, there are approximately 900,000 law enforcement officers serving in communities across the United States, including the dedicated members of the Town of Mount Hope Police Department;

WHEREAS, some 60,000 assaults against law enforcement officers are reported each year, resulting in approximately 16,000 injuries;

WHEREAS, since the first recorded death in 1791, over 19,000 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty;

WHEREAS, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C.;

WHEREAS, 320 names of fallen heroes are being added to the National Law Enforcement Officers Memorial this spring for the year 2012;

WHEREAS, the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial Fund's 25th Annual Candlelight Vigil, on the evening of Monday, May 13, 2013;

WHEREAS, the Candlelight Vigil is part of National Police Week, which takes place this year on May 12-18

WHEREAS, May 15 is designated as Peace Officers Memorial Day, in honor of all fallen officers and their families;

THEREFORE, BE IT RESOLVED that Town Board of the Town of Mount Hope formally designates May 12-18, 2013, as Police Week in the Town of Mount Hope, and publicly salutes the service of law enforcement officers in our community and in communities across the nation.