

REGULAR MEETING, TOWN OF MOUNT HOPE, SEPTEMBER 11, 2013
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The regular meeting of the Town Board of the Town of Mount Hope was held at Town Hall on September 11, 2013 at 7:30pm with the following present: Supervisor William Novak, Councilman Michael Bell, Councilman Gary Ketcham, Councilwoman Janet Sutherland, and Town Clerk Kathleen Myers.

NOT PRESENT: Councilman Ed Fairweather

PUBLIC PRESENT: Highway Supt. Hassenmayer, T. Gilmore, L. Fairweather, M. Horzempa, T. Kraese, D. Cambareri, E. Loeven, Village Trustee K. Coppola, Village Trustee W. Mellon, M. Howell, D. Golebiowski, L. Dodd, Lt. P. Freeman, M. Osborne, K. Walsh, R. Walsh, C. Volpe, K. Somarelli, T. Puglisi, H'way Clerk J. Musial, E. Shafer, M. Maurizzio, M. Tapia, M. Schaaff, Z. Kelson - Attorney.

The meeting was called to order by Supervisor Novak at 7:30pm following the Pledge of Allegiance.

AT THIS TIME, Supervisor Novak called for a moment of silence for the victims of 9-11.

RESOLUTION TO ACCEPT PRIOR MEETING MINUTES:

MOTION offered by Councilman Bell seconded by Councilman Ketcham that the minutes of the 8-12-2013 meeting as submitted by the Town Clerk are approved. All in favor - Bell, Ketcham, Novak, Sutherland; carried.

CORRESPONDENCE:

1. Supervisor's report August 2013
2. Planning Board meeting minutes 8-19-13
3. Building Inspector report 8-2013
4. Letter from Police Chief re: surplus property
5. Complaint re: 14 Guymard Turnpike
6. Request from Court to file for JCAP grant
7. MHFC monthly report August 2013
8. Insurance Cert. for fair fireworks
9. Insurance Cert. for Lions Club for Fair
10. Public hearing notice; Village of Otisville; 9-25-13 7pm
11. Public Hearing notice; T/O Mamakating; 9-3-13 7pm
12. Public hearing notice; T/O Mount Hope; 9-16-13 7pm
13. Letter from H'way Supt. Hassenmayer re: entrance to Hidden Valley
14. Orange County Snow/Ice Agreement 2013/2014
15. Letter of support re: exit 131 Interchange improvements (Cuomo/Maloney)
16. Emergency Medical care reaffirmation (MHFC)
17. MHFC fire police appointment requests; New company members list
18. (3) quotes for modular units for storage

COMITTEE REPORTS:

POLICE DEPT. by Lt. Freeman:

Lt. Freeman spoke re: surplus property. Board members received copies of the list. He read the list. They accepted the bid for the old Tahoe for \$5100. He requested the list of items be declared surplus. We will get together with Dean and dispose of them as scrap metal.

RESOLUTION TO DECLARE POLICE PROPERTY SURPLUS:

MOTION offered by Councilman Bell seconded by Councilman Ketcham to declare the following items surplus property and dispose as scrap metal/garbage: 3 metal car partitions, 1 damaged cabinet, 1 damaged metal desk, Minolta VHS camera, damaged shelf and the old phone system and phones. All in favor - Bell, Ketcham, Novak, Sutherland; carried.

At this time, Supervisor Novak stated that the Police and Highway did a great job at the Country Fair. I thought it was well done and well-coordinated. Lt. Freeman added that it was much appreciated and that what helped was having the command post there with EMS. It helped things go a lot smoother.

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HIGHWAY DEPARTMENT by Highway Supt. Hassenmayer:

Supt. Hassenmayer reported that as the board knows the open position was posted for the highway. In the posting the closing of the accepting of the applications – the date is tomorrow. I hope at the next meeting we have, I can present a name for a new employee. We have been limited on what we can do. I have been trying to work on side roads; roads without traffic because we just don't have enough men with 6 people to work safely. I want you guys to understand that. We really need that. We were an 8 man crew. We are down to 6 now. It's really starting to hurt us. He spoke about the letter for the sewer plant property. I believe there are some residents here that are going to speak on that too. I am in a catch-22 in that because I don't control the funds for that sewer plant – you guys do. If we're gonna do something out there, you have to authorize the funds to be spent to dress it up. The sewer plant itself is maintained by who maintains the lawn out there. I know we don't. Town Clerk added Joe Mercurio does it. He is a resident out there. Mrs. Schaeff stated no, the sewer is owned by the Town of Mount Hope. Supervisor Novak stated, actually the sewer is owned by the residents of Hidden Valley. Mrs. Schaeff stated we pay taxes on it. We were told the Town took it over. We pay for the water. Supt. Hassenmayer spoke of a memo he received out of his in basket dated September 4th, from you and the Town Board about reporting hours. I don't understand this. Is it something to do with the Highway Department? Supervisor Novak stated it was sent to all departments. Supt. Hassenmayer asked so there was a problem and I assume it was addressed? Supervisor Novak stated, we think so yes. That's about all I have. We've been trying to do what we can on the roads. We still have a lot of projects I have been wanting to get done this summer. One of them is pipes I've gotta change on Shoddy Hollow but with the traffic out there – I just don't have enough men to do it safely. I will grab all the interviews that were given to Angie tomorrow. Councilwoman Sutherland asked how many applications there are. Supervisor Novak answered 3.

VILLAGE OF OTISVILLE by Trustee Melton:

Trustee Melton reported that there was a problem with somebody spraying graffiti at the Village Park. There were some words and a not nice picture. That was taken care of. I don't know if you had problems. Supervisor Novak added they got the old school as well. Trustee Melton stated that they have been in contact with the police department. Also, regarding the summer rec contract – Howard said that he reached out to Zack. Were you able to talk to him about that? Attorney Kelson asked about which thing? Trustee Melton stated the summer rec program. Attorney Kelson stated no, he has not spoken to me. Trustee Melton asked if he would mind calling him about the summer rec contract. Attorney Kelson stated sure – I am happy to do that. He saw him 2 weeks ago in court perhaps this happened after that. Attorney Kelson will reach out to him tomorrow. Trustee Melton stated that the Village Clerk's husband got a new job in Long Island so she's resigning soon. The Mayor is doing interviews now. So in the next meeting or two they will have a decision on who the new Village Clerk is gonna be. As far as the letter that was read off from you at our last meeting regarding the Phase II of the water going out to the Tepitz property – the Mayor didn't recall the conversation or the meeting where the Phase II was listed in. He has Janine checking into that. Hopefully next meeting I will have more information from him. So basically he is looking in the minutes now. Supervisor Novak stated I think that was before when we originally ran the water line. The water line used to run to Mount Hope Avenue. And we ran it up to the Little League stand at one time. The agreement was that we were in negotiations on the Bilinski farm which ended up taking 6 years before we finally reached an agreement on it. We didn't want to extend it part way so we said we would hold off on Phase II until afterwards. Then we got the Bilinski farm. That's when we wanna work on that line so Frankie gave a list of what's needed and the Town will assume the cost of that. Trustee Melton stated that it said that in the letter and there was a time sensitive quote as far as the materials. The best I can say is we have a meeting in a week. Hopefully Janine will have done her research. Supervisor Novak added that the quote is only good for 30 days. Trustee Melton stated there was one concern that assuming the 4H comes in and everything goes fine and it's a done deal, there will be a meter on that correct? Supervisor Novak stated that the line is only going to run to the town Bilinski barn. If the 4H extends it after that then they will... Attorney Kelson added that they've talked about doing a meter. Supervisor Novak stated that our concern was getting it up to the Bilinski barn after that it's the 4H's responsibility. Trustee Melton added that ending on a good note, the fair went well. Thanks for your cooperation and help. Everybody had a good time.

HIDDEN VALLEY by Supervisor Novak:

Supervisor Novak stated that the town operates Hidden Valley based on...we pay Mr. Mercurio to mow out there and if you tell me he's not mowing. We pay him to mow around the sewer treatment plant and I believe he submits bills for it. Now Thistle Lane is different. That's the pump station at the entrance. In the past he hasn't been responsible for that. Mrs. Schaaff asked if that would be the Hidden Valley water. Supervisor Novak stated no, it's the pump station there. Mrs. Schaaff stated it's a cut out lot - we pay taxes on it. It's not Hidden Valleys, it's none of us and we live right there. Attorney Kelson added that if it is owned by the sewer district/town nobody pays taxes on it. Mrs. Schaaff stated that the town is ultimately responsible if someone falls on it, gets hurt. Attorney Kelson stated sure. Supervisor Novak it's the town responsibility but we go back to what I just said the operating expenses goes back onto the tax bills of the owners. That's what Dean is saying when he said that for him to do it he needs the money to be transferred from the Hidden Valley in to the highway department. Mrs. Schaaff asked for the tax bill to be explained to them. On their tax bills there is a separate line for sewage and it's a substantial amount of money. So that money goes directly into a fund that then you pay the highway department, that we also pay town taxes for, to come out and take care of an issue? Attorney asked if he could answer. This is an accounting issue. It is not a you're gonna pay a tremendous amount more but the highway department generally maintains the roads for all town residents and village residents depending on what section you are under pay that tax. If there's a specific expense that can be identified to the sewer district then it's gotta come out of the sewer district budget which comes out of your tax money. There are 2 things you pay for - you pay for operations or capital and maintenance. Those are the 2 parts of the maintaining it and making improvements so this is probably the maintenance part of it. Bill will talk to Mercurio tomorrow and if there's a specific area where you think it needs to get mowed give Bill a call. Maybe you'll meet him out there and show him what you are talking about. Mrs. Schaaff asked what kind of idea that budget might allow for because one of our issues tonight that we came for and we have some pictures...that corner of the entrance to 100 homes in there looks like h---. It's become a nightmare. What with the digging up, chopping down trees that I was surprised how far in they went - they went pretty far in. Now when you approach that corner, you see the sign and all you see is massive weeds or growth over a chain link fence around where the meters are. Mrs. Tapia stated she gave permission - I live on the corner - so they could be cut down because there was an issue with the roots going into the sewer system. They asked me - I said go ahead. Maintenance wise I believe that's not my responsibility. Discussion on Mr. Mercurio and his responsibility for mowing ensued. Supervisor Novak asked Mike to meet with Mr. Mercurio. Mr. Walsh asked to approach the board to show some pictures. He asked if this area could be maintained, we would appreciate whatever the town can do. We do appreciate all the work Mr. Hassenmayer and the public works did over by the area. We're gonna see how it works out tonight with the rain. We do appreciate the work - they do a great job. Dean stated that it doesn't need just mowing it's very rough terrain. There's ditches and gullies. It needs some topsoil maybe a couple hedges planted - a little landscaping. You can't put a mower on it.

PLANNING BOARD by Chairman T. Gilmore:

Mr. Gilmore advised the meeting is next week. We have a public hearing on the MHFC's fire house. He will not be attending the meeting. This will be his 1st meeting since being on the planning board that he will miss since he has been on the planning board. Wayne Howell will be running the meeting.

TOWN WATER LINE TO THE PARK:

Attorney Kelson asked to address this to Wayne. We would all be kidding ourselves if we didn't know that there's some ill-will between the town and the village on various things not relating to this water line. It would be really unfortunate if those feelings interfered with the ability to get this water line going and maybe even get it in before the winter or whenever. And the reason I mention this is as follows and please take it back to your board, Number one we talked about it being metered. We talked about cost and expense being born by the town portion of it. Number three - the 4H project - I don't think anybody disagrees is a good project. The village of Otisville gets sales tax revenue. The more people that come into the village the more sales tax revenue they get even if it's a project that's right on the border of the town and village property.

TOWN WATER LINE TO THE PARK (CONTINUED):

Even if there are issues and I recognize that there are – this is good for everybody. It's gonna increase the tax base in the village. It's going to increase the sales tax hopefully if this thing is built out – it looks like it's gonna happen. So anything that you can do or the board and I know there's another board member in the back tonight, to expedite that or if there's any questions, so we don't have undue delay. I think it's good for everybody. I don't think there's anybody here who says 4H is gonna be a bad project; the parks also. Let's remember that even village residents get to use the park and whether they use the village park or the town park everybody has the right to use that without restriction. We want to try and get this done and hoping that the internal strife that we've all experienced gets put to the side at least on this project. I am happy to talk to Howard also while we are talking about the other thing – to get that moving. If there's any information they need. We'll get it to you. Rick Golden represents 4H and he's a well-known attorney who knows his stuff. The less delay the better on this thing.

RESOLUTION TO APPROVE THE AUGUST 2013 SUPERVISOR'S REPORT:

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

RESOLUTION TO APPROVE STORAGE UNIT QUOTE:

MOTION offered by Councilman Bell seconded by Councilwoman Sutherland to approve the low bid for this unit; putting it on a concrete slab. All in favor – Bell, Ketcham, Novak, Sutherland; carried.

2013-2014 ORANGE COUNTY SNOW/ICE AGREEMENT:

Supt. Hassenmayer has not received the agreement yet. Supervisor Novak tabled this until the next meeting.

RESOLUTION TO APPOINT FIRE POLICE FOR THE MHFC:

MOTION offered by Councilman Bell seconded by Councilman Ketcham to appoint Phillip Friedle, David H. Parlman and Theresa Willis as Fire Police for the Mount Hope Fire Company and no compensation. All in favor – Bell, Ketcham, Novak, Sutherland; carried.

RESOLUTION TO WRITE A LETTER IN SUPPORT OF EXIT 131 INTERCHANGE IMPROVEMENTS:

MOTION offered by Councilwoman Sutherland seconded by Councilman Bell to authorize the Supervisor to send letters of support to expedite the improvements on Exit 131. All in favor – Bell, Sutherland, Ketcham, Novak; carried.

RESOLUTION TO AUTHORIZE THE JUSTICE DEPARTMENT TO APPLY FOR A JCAP GRANT FOR \$5,609.90:

MOTION offered by Councilman Bell seconded by Councilwoman Sutherland to authorize the Justice Court to apply for a JCAP grant in the amount of \$5,609.90. All in favor – Bell, Ketcham, Sutherland, Novak; carried.

RESOLUTION TO REAFFIRM THE EMS RESOLUTION FROM MAY 2013:

MOTION offered by Councilwoman Sutherland seconded by Councilman Bell to reaffirm the following resolution from May 13, 2013: '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 – Bell, Ketcham, Novak, Sutherland; carried.

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RESOLUTION TO AUTHORIZE THE SUPERVISOR TO CO-SIGN THE PLANNING BOARD APPLICATION FOR SITE PLAN APPROVAL:

MOTION offered by Councilwoman Sutherland seconded by Councilman Ketcham to authorize the Town Supervisor to co-sign the planning board application for the site plan approval subject to entering into a lease agreement/option to purchase for SBL 10-1-90. All in favor – Bell, Ketcham, Novak, Sutherland; carried.

RESOLUTION TO AUDIT THE CLAIMS:

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

GENERAL A:	#491-506	\$ 46,764.09
GENERAL B:	#86-91	\$ 8,423.19
HIGHWAY:	#144-162	\$ 110,755.74
SEWER:	#91-95	\$ 1,634.31

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

PUBLIC PARTICIPATION:

Mr. Gilmore thanked the highway department for having done bush-hogging at the historic society. He appreciates all the work they have done. Thank you.

Mrs. Fairweather added that anything they do out there is appreciated.

Supervisor Novak stated that the yard sale was terrific. They had a very successful yard sale there. Mrs. Fairweather added that they made about \$700.

L. Dodd spoke re: MHFC. He thanked the Police Dept. for the job they did assisting us at the fair. They supplied the medical protection and fire protection for the fair. They co-mingled under one tent at the fair and it went well. He went over the fire report with the board.

E. Shafer asked how many members show up to each call. Mr. Dodd stated that they average 8-13 members per call. They have a roll call sheet and at the time the roll call sheet is taken it is handed over to the Chief then handed over to the person who records the fire calls to the State of NY.

RESOLUTION TO AUTHORIZE THE SUPERVISOR TO FORWARD LETTERS TO THE STATE LEGISLATURE:

MOTION offered by Councilwoman Sutherland seconded by Councilman Ketcham to authorize the Town Supervisor to forward letters to the State Legislature. All in favor – Bell, Ketcham, Novak, Sutherland; carried.

PUBLIC PARTICIPATION CONTINUED:

C. Volpe spoke re: parkland. He spoke with Senator Bonacic and Assemblywoman Gunther at the fair and they had not received anything from the Town of Mount Hope asking to annex it from parkland and converting/swapping it and he was also told they are not back in session until January. Are they continuing full steam ahead or do you need that approval to make this happen? Attorney Kelson stated that the alienation issue is not clear that this will actually require alienation. There is some case law that says it's a consistent use with a public parkland use but to err on the side of caution they're gonna go through it that way. Supervisor Novak added that at the last meeting he was not here and they approved the alienation letter and he didn't know they had the metes and bounds. Mr. Volpe stated that it says you had been in touch with Bonacic's office. Supervisor Novak stated we have been in touch but we have not sent the formal application. Mr. Volpe asked if they need authorization for them to move forward. Supervisor Novak stated we can proceed with site plan; whether we can put a shovel in the ground is not determined yet. As of now there's no intention of putting a shovel in the ground until we get further clarification. Until we get clarification from the state, they're not gonna put any shovel in the ground. Mr. Volpe asked – if everything was to get pushed through, whether we need their blessing or not, who actually will be paying for the building? Supervisor Novak stated the Mount Hope Fire Company Inc. will be paying for it. They're already in contact with banks on mortgages and everything.

PUBLIC PARTICIPATION CONTINUED:

J. Musial asked how many acres the 4H project encompasses; she has no problem with the 4H project. She stated that Ed told her anywhere from 8-14 acres and he was quoted in the paper saying 10 acres and an engineer has been over to the highway office and said it encompasses over 80 acres. She asked for clarification. Supervisor Novak stated we don't have 80 acres. Mrs. Musial asked on that side? Supervisor stated on that side there's not 80 acres. The total parcel is only 84 acres. Attorney Kelson stated he can email a copy of the contract to Mrs. Musial. He asked if she's looked at that yet? The 4H is only going to be using a smaller portion of 14 or 16 acres – there are some parking areas that they're going to improve but we're going to be able to use. It is in the contract with a description. Mrs. Musial – stated it sounds like a fantastic project but has an issue with its' represented as one thing and it's disturbing and encompassing a larger area. She hasn't seen the contract. Attorney Kelson added that in the contract there's a small site plan which was also brought to the planning board.

M. Maurizio asked for clarification on the number of acres. Someone said 14-16 acres and someone else said 6-8 acres. Attorney Kelson didn't know this question would come up. He stated that she could look at the contract as well. J. Musial added that the engineer was coming in and asking questions. The 4H engineer. Supervisor Novak stated that the dog park, the community gardens... Mrs. Musial stated that they may be taking out the dog park out and put something else there. Attorney Kelson added that actually they're not taking dog park - it is where it's supposed to be. We'll be responsible for the dog park – not the 4H. Have the engineer call Bill on this stuff. We ought to have a brief meeting with 4H to coordinate the pecking order and how decisions get made. Obviously, you are not making decisions and Dean is not making the decisions – everybody has to make them together. Mr. Hassenmayer stated to the gentleman the 1st time that he was in the office that there be a sit down meeting with the 4H and some of the people of the town. He hasn't been included in any of the meetings that the guys have been having. Attorney Kelson stated that the only meetings that they've had is finalizing some of the terms/conditions of the contract, water lines, the lease etc. We'll make a copy available for your department – you should have it anyway. We can sit with Rick Golden, yourself, me anybody you want to and let's get that. Mrs. Musial asked if the parks committee members as well can sit in on that meeting? Supervisor Novak stated that they don't know who the committee members are. Mrs. Musial stated they actually still have some.

Mrs. Shaaff asked if the 4H will maintain their property and their own budget. Is the town gonna pay for this? Supervisor Novak stated no, they will maintain it.

M. Maurizio directed her question to Lou Dodd. She asked about response times for the department. She is hearing different rumors of slow response times. Mr. Melton stated he could go back and look at the reports. The call they had today they were on the scene in less than 3 minutes. M. Maurizio asked where it was. Mr. Melton stated out past Winnetaska. M. Maurizio asked for an average. Mr. Melton stated he would have to pull that up. He added that at the fairgrounds they had an accident over by the country store and we were there in 4 minutes. And that was going through the fair traffic. M. Maurizio stated she heard of a 15 minute delay. Mr. Melton stated that's wrong – absolutely false. Councilwoman Sutherland added that they've been to her neighbor's house 3 times and they're so impressed with how quickly you get there. M. Maurizio asked if the village is being called for mutual aid? Mr. Melton stated no. M. Maurizio asked why not. Mr. Melton stated that the village was called twice for mutual aid to stand by when we believe we were going to structure fire and one of those calls on Murray. And we had put Otisville on stand-by with a tanker – can't put a fire out without water. We have no problems with anybody. We are going on record with all of that. We got dispatched to a call in Otisville. Once the officer got to the scene and recognized that it was the Village and called Otisville's Chief. We said it was their discretion, we could handle it or if you want to have your guys come out and handle it. He said he was gonna bring his guys out. Once they showed up – we said thank you - they said thank you. M. Maurizio added that they are saying they have no problems with anybody – she'd like to ask the village fire company – she doesn't believe that the village fire company has any problem. Supervisor Novak added he would like to think that's true. That everybody – when it comes to public safety - is on the same page.

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PUBLIC PARTICIPATION CONTINUED:

L. Dodd stated that a lot of people in the Town of Mount Hope fire department have been here a long time and if anybody has any questions, we are easily found. Please come to us for the facts. Don't rely on facebook. Please stop or call our numbers are all accessible. John works at the Village. You hear rumors -- Please call us. Any of the qualifications of all the 35 members that are on the sheet -- we can show you their qualifications and anything that anyone else wants to see. M. Maurizzio added that she's lived in the Village of Otisville for over 40 years. She's never had a problem with the Otisville fire company. Mr. Dodd added that nope, they are good people. You'll never have a problem with them.

M. Tapia added that she was ignorant about the whole fire department. She came and met with Supervisor Novak, Mr. Dodd and a lot of other people because I had a lot of questions. For my own knowledge not for anybody else's knowledge and I sat down and I took my time and I did my own research. She said this is good. They were very open.

RESOLUTION TO ADJOURN:

MOTION offered by Councilman Bell seconded by Councilwoman Sutherland to adjourn the meeting at 8:20pm. All in favor -- Bell, Ketcham, Novak, Sutherland; carried.

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

Respectfully submitted,

Kathleen A. Myers
Town Clerk