

WORKSHOP MEETING, TOWN OF MOUNT HOPE, FEBRUARY 22, 2010

The **workshop meeting** of the Town Board of the Town of Mount Hope was held at Town Hall on **February 22, 2010** at 7:30pm with the following present:

Supervisor William Novak
Councilman Michael Bell
Councilman Greg Stiles
Councilman Ed Fairweather
Town Clerk Kathleen Myers.

NOT PRESENT: Councilwoman Russo

PUBLIC PRESENT: D. Hassenmayer/Highway Supt., OIC Mann, M. Meere, D. Loeven, L. Fairweather, T. Gilmore, C. Bell, O. Pierson, I. Stiles, S. Stiles, T. Damiani, M. Brock, Officer Santiago.

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

ACCEPTANCE OF PRIOR MEETING MINUTES:

MOTION by Mr. Bell seconded by Mr. Fairweather that the minutes of the 2-8-10 meeting as submitted are approved. All in favor – Bell, Stiles, Novak, Fairweather. Carried.

CORRESPONDENCE:

1. Police Budget Modification
2. Planning Bd. Monthly report Jan. 2010
3. Letter from E. Fuentes re: Energy issues/Orange & Rockland
4. Letter from Heimbeucher re: library & town roads
5. Supervisor's report Jan. 2010
6. ATV complaint from Ramos (Mountain Road)
7. Request from Fini: road bond figures for Topp Subdivision.

COMMITTEE REPORTS:

HIGHWAY DEPARTMENT:

Mr. Hassenmayer reported on the playground set from the Old school. The old concrete has been removed off the set in the past couple of weeks. He received a quote from Game Time for approx. \$8,000.00 for replacement parts for the set. Concrete and mulch are needed and approx. set up fee \$14,000.00. Two swing sets need to be re-built; the hardware is worn through. Approx. set-up fee for those is \$1,700.00. Stagecoach would be approx. \$200.00 to re-paint and re-locate and it does need new seats, too. He is suggesting that the town solicit some local clubs to help with the re-build and then the town could dedicate a plaque in their name at the park. Mr. Fairweather asked how the price compares to a brand new one. Mr. Hassenmayer stated a new one is approx. \$80,000.00. The set at the old school was installed in 2002. Mr. Stiles asked about legality. Mr. Kelson stated as long as the club(s) don't receive preferential treatment for anything that it is ok. Mr. Novak asked Mr. Hassenmayer how soon concrete can be poured because the parts are in for the generator. Discussion ensued.

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POLICE DEPARTMENT:

No report.

PLANNING BOARD:

Mr. Gilmore stated that the meeting was canceled due to the weather and re-scheduled until next month.

VILLAGE OF OTISVILLE:

No report. Mr. Kelson asked Ms. Loeven to remind Mr. Dallow about the letter to the district judge.

HIDDEN VALLEY:

Mr. Stiles stated that he was hoping to say everything was wonderful but that's not the case. It is back to not working. He met with E & H today. He was on the phone with Enviro-Quip everyday. Whoever is at fault will pay once we find out what the problem is. This is a \$1,300,000.00 plant. There is only 1/3 flow right now. Mr. Damiani stated the other plant worked on a sand filtration system for years and it appears this is a bad design. Mr. Meere asked about guarantee/warranty. Mr. Stiles stated it is guaranteed against manufacturer defect. When it comes to the equipment E&H takes a back seat to the techs. There is a standard one year warranty. Mr. Kelson stated that Enviro-Quip needs to be put on notice that there is a problem but he needs an answer before the letter can go out. If E&H can't figure out the problem, then someone else has to. Mr. Stiles stated that the expenses are under control. The big expense was a one time thing needed to avoid fines and jail time. He had to act quickly. Mrs. Bell spoke about the guarantee and the new people coming into the district affecting it. Mr. Stiles stated that the design is such that it should handle it. Mr. Novak asked Mr. Brock about the mixer. Mr. Brock stated that initially the mixer went down. A cord got wrapped in it. Enviro-Quip sent it out for repairs and it was returned and deemed workable. It broke again and was sent back out. He was told it was the contractors fault. The new one should have been here already. It could be part of the problem but it needs to get legal at this point. Mr. Kelson stated that by the next town board meeting if E&H can't figure out what's wrong then we move forward with a letter. He stated to Mr. Stiles to document everything. Every phone call, every visit, etc. Mr. Stiles spoke re: Mr. Brock and Mr. Cassel being instructed on the operations of the system – the day to day operations is not that complicated. Mr. Brock thanked Mr. Stiles for his help and also stated that the DEC was notified immediately and everything hinges on what and when we get approvals. Mr. Stiles stated again that the major expense is under control. Everything else is normal operational expense. He apologized to fellow board members for not having the bills pre-approved and for a lack of communication but not for anything else. Mr. Bell asked if the plant is operating at 60% then when do we start trying something new like limiting water. Mr. Stiles stated again that DEC approval is required before we can go ahead with everything.

OLD SCHOOL:

Mr. Fairweather reported that the school committee met and they were unhappy/disappointed with the report from the Verticon. The information was nothing other than what the town already said. Bill and Kathy could write the RFP with a time line of probably 2 months. There is an offer of \$500,000.00 but there is no urgency to sell. It shouldn't sit empty too long.

RESOLUTION ON OLD OTISVILLE SCHOOL (RFP):

Motion by Mr. Stiles seconded by Mr. Bell to authorize Supervisor Bill Novak and Councilwoman Kathy Russo to compile a Request For Proposal (RFP) regarding the purchase of the Old Otisville Elementary School and the uses for that building. All in favor – Bell, Stiles, Novak, Fairweather. Carried.

LIBRARY:

Mr. Bell reported that the director will be sending an update/report by the end of the week. He has heard a lot of great comments. Mrs. Bell stated that the computers are great and they also have books for sale.

TOPP SUBDIVISION:

Mr. Novak advised the board members that Mr. Fini requested the amount he would need to post the road bond for the Topp Subdivision. Per Mr. Gilmore the Planning Board recommends same.

RESOLUTION TO APPROVE ROAD BOND REQUEST FOR TOPP SUBDIVISION:

MOTION by Mr. Fairweather seconded by Mr. Bell to approve the Planning Board recommendation for Frank Fini to post a \$10,000.00 road bond in escrow for the Topp Subdivision. All in favor – Bell, Stiles, Novak, Fairweather. Carried.

ATV COMPLAINT:

Mr. Novak spoke of the complaint he received from Mr. Ramos regarding ATV's. He is requesting the town board to possibly pass an ATV law. Copies were given to board members for review. Upon board approval a public hearing could be set at the next board meeting.

**At this time (8:25pm) Mr. Fini entered the board meeting. He was advised that his request was approved. He thanked the board.

SUPERVISOR'S REPORT:

MOTION by Mr. Fairweather seconded by Mr. Stiles to approve the Supervisor's report for the month of January 2010 as presented. All in favor – Bell, Stiles, Novak, Fairweather. Carried.

POLICE BUDGET MODIFICATION:

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

FROM Revenue TO A3120.1 Police P/S \$590.92.

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

AUDIT OF CLAIMS:

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

GENERAL A:	#82-101	\$40,147.27
GENERAL B:	#17-22	\$5,061.60
HIGHWAY:	#28-37	\$33,254.72
SEWER:	#15-17	\$845.89
WWT	#6-15	\$115,193.92
WWT	#16-18	\$400.42.

ON THE QUESTION – Mr. Bell believes he should abstain from signing the WWT bills because he lives in Hidden Valley Estates & doesn't agree with the bills. Mr. Stiles stated if we don't pay them, they won't be there for us again. Mr. Bell asked how can we go after them and make them pay if they've already been paid. Mr. Stiles stated that we haven't received any finance charges yet but we will if we don't pay them. Mr. Kelson stated that the board should enter into executive session and come back to this. This resolution tabled temporarily.

PUBLIC PARTICIPATION:

**Ms. Loeven spoke re: Hometown Helpers and library cards.

**Mr. Pierson spoke re: board's direction on the cell tower. Mr. Stiles had distributed copies of laws from other towns. Mr. Bell acknowledged reading them. Mr. Fairweather did also and has spoken to Mr. Pierson since. He is not in favor of expanding the law. Per Mr. Kelson, he spoke with the rep. from Verizon who said they will not enter into contract with Pierson Farm. Mr. Pierson also spoke with the same rep. Current zoning does not allow for tower on his property. Mr. Kelson again stated that Verizon will not do business with Pierson Farm. This board already decided to go ahead with this project before they knew about Pierson. This is a spot zoning issue. The town already had a comprehensive re-zoning done. Verizon will not go further with Pierson. Mr. Stiles disagrees that it puts money into an individual's pocket. The intent of the proposed law is to do a better job of representing the law. DISCUSSION ENSUED. Mr. Stiles added that the site at the town is an inappropriate spot. Mr. Novak stated he spent a lot of time on this and personally not in favor of changing the zoning. Mr. Gilmore added that the board should consider a wind mill law in conjunction with the cell tower law. He also added that it would take a lot longer than a couple months to complete. The law is poorly written in his opinion. Mr. Novak spoke re: the only way a waiver could be granted is the applicant must demonstrate that the necessary service cannot be provided by using any of the approved locations. Mr. Pierson stated that as a farmer he needs every type of income possible and that he could also put up building lots.

**Mr. Meere spoke re: letter he received in his mailbox (feels it's political). Mr. Bell feels that someone needs to be accountable for what's happened at the plant. Mr. Meere also asked about the use of the little league field at the old school. Mr. Novak stated as long as the town owns it- it may be used.

**Ms. Loeven spoke re: preserving open space.

**S. Stiles spoke re: passing an ATV for an individual.

**Mr. Fairweather spoke re: open space and farm preservation.

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EXECUTIVE SESSION:

MOTION by Mr. Fairweather seconded by Mr. Stiles to enter into executive session at 9:07pm to discuss litigation and police personnel matter. All in favor – Bell, Stiles, Novak, Fairweather. Carried.

RECONVENE REGULAR SESSION:

MOTION by Mr. Stiles seconded by Mr. Bell to reconvene regular session at 10:14pm from executive session. All in favor – Bell, Stiles, Novak, Fairweather. Carried.

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WWT	#6-15	\$115,193.92
WWT	#16-18	\$400.42.

(Bill from Eustance & Horowitz for \$3,155.00 was NOT approved for payment AND Earthworks emergency charges were waived. Kathleen to add the amounts and give figure to Mr. Stiles so that the account can be adjusted.)

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

RESOLUTION FOR HEALTH CARE FOR NEW HIREES:

MOTION by Mr. Fairweather seconded by Mr. Stiles that the Town of Mount Hope will provide single plan health care coverage for any health care recipient in accordance with the Town manual effective February 22, 2010. Premiums in excess of single plan will be the responsibility of the employee. All in favor – Bell, Stiles, Novak, Fairweather. Carried.

RESOLUTION FOR ATTORNEY TO PROSECUTE VTL TICKETS:


MOTION by Mr. Fairweather seconded by Mr. Stiles to authorize Zachary Kelson, Attorney to prosecute VTL tickets for the Town of Mount Hope in accordance with the directive from the Orange County District Attorney's office. All in favor – Bell, Stiles, Novak, Fairweather. Carried.

ADJOURNMENT:

MOTION by Mr. Stiles seconded by Mr. Fairweather to adjourn the meeting at 10:16 pm. All in favor – Bell, Stiles, Novak, Fairweather. Carried.

The next meeting is scheduled for March 8, 2010 at 7:30pm.

Respectfully submitted,


Kathleen A. Myers
Town Clerk