

**REGULAR MEETING OF THE NORTH HORSELL VILLAGE BOARD
JUNE 11, 2007**

ATTENDANCE: Mayor John Falci
Trustees: Deputy Mayor William McNelis, Glenn Thomas
Joseph Dick & Frank Libordi
Village Clerk Kristene Libordi
DPW & Fire Chief Phil D'Amato
ZBA Chair Douglas Dunn
Planning Board Chair Timothy McDaniel
Fire Dept. Members: Charlie Chick, Mike Robbins & Ed Shiloh

MAYOR'S OPENING REMARKS

Mayor Falci noted the death of Kirk Marshall who was Mayor of the Village several years ago. The clerk was directed to send a card of condolence to his family.

MINUTES

A motion was made by Glenn Thomas and second by William McNelis to approve the May 14, 2007 minutes. Motion was carried.

A motion was made by Joseph Dick and second by Glenn Thomas to approve the May 30, 2007 minutes. Motion was carried.

TREASURERS REPORT

Trustee Glenn Thomas questioned the line items from the General Fund. A2262 showed an extra \$30,000. The clerk responded that the village received last year's Town payment late which showed up in this year's budget. A1490.1 – The clerk to check and respond. A5110.41 shows a negative \$12,329.63. This amount was covered from the Chips payment in revenues A3501.

Motion was made by William McNelis and second by Frank Libordi to accept the May 2007 Treasurers report. Motion was carried.

POLICE REPORT

No report was available. Mayor asked for a copy of the police schedule. A current copy was not available. Mayor asked the three members of the Public Safety Glenn Thomas, Frank Libordi and Joseph Dick to make a suggestion for changes in the Department. Board is not getting what they wanted from the Police Department. Shifts are not being covered. The board will discuss it in executive session tonight.

DPW REPORT

Supervisor reported:

- Finished Brush and Leaf clean up
- Paving completed on Bowen, Willow, Chambers, Mary, Pittsburg and 4th Alley.
- Sweep Cleveland Ave.
- Blacked out lines in the parking lot of Village Hall
- Dig tree stumps out in front of the Village Hall and alley between

Seneca and Mary St.

- Install shoulder on Bowen St
- Cut back trees in alley behind fire hall
- Install binder and blacktop in front of Village Hall
- Zebra Stripping refreshed stop bars in Village
- Helped Chapman Electric install new fire siren
- Continue lawn maintenance on Village properties.

Two estimates for sealing the parking lot. The low bidder was Johnson's for \$1500. Zebra Stripping will stripe the parking lot with three handicap parking spaces against the side walk in front of the Village Hall. The Project list previously given to the Trustees will be pushed back in order to do the paving now at a lower price. Once that is finished they will start the project by Mr. Bebout (wall) and the area behind Mrs. Burke in Marick Park.

Motion made by Glenn Thomas and second by William McNelis to approve the DPW report. Motion was carried.

FIRE REPORT

Chief D'Amato reported incidents during the month of May:

- 2 incidents in the Village
- 11 incidents in the Town of Hornellsville
- 3 Mutual Aid

The chief reported a new member to the Fire Department – Sally Mellenbacher who lives on Seneca Rd. in the Village. Her membership is pending an arson background check.

The Fire Dept would like to participate in the Arkport Summer Fest parade on July 7th. They will take 1 vehicle.

Motion to accept the Fire Chief's report was made by William McNelis, second by Joseph Dick and carried.

A motion was made to accept Sally Mellenbacher as a new firefighter pending her arson background check. Motion made by Glenn Thomas second by Frank Libordi and carried.

Mayor Falci made a motion to let the fire Dept participate in the Arkport Summer Fest with one truck. Motion second by William McNelis and carried.

NEW BUSINESS

JR FIREFIGHTERS

There has been concern over the age of junior firefighters in the Village Fire Dept. The Chief needs to let the board know who the junior firefighters are and verification of age. They can go to meetings & drills or take notes but they cannot do physical work.

Trustee Libordi asked what is the minimum age is for a junior fire fighter? Charlie Chick responded that NYS says they can be a junior firefighter at age of 16 with restrictions. They cannot be an interior fire fighter or ride the apparatus. The legal age to work as a firefighter is 18 and hopefully by then they will have completed training as a junior firefighter.

Trustee Thomas questioned the age of a current Jr. Firefighter. Chief D'Amato will check into it.

FIRE DEPT BUILDING

Mayor Falci is again asking for ideas from any interested residents, board members or fire fighters in regards to the Fire Dept.

A new fire hall is in the planning stage and this fire hall will not be suitable for the coming years. We can not special order trucks as was done in the past. New trucks have to meet state regulations and they will not fit into the existing building. Right now it is very difficult to get fire trucks into the current fire building. Randy Kuhl's office is working with the Mayor to find available grant money for a new or renovated fire hall. Options have been:

Build a new fire hall
Remodel the existing fire hall
Refurbish the DPW building
Build a 3 bay garage across from the Village
The Elsenheimer garages behind the Kwik fill on Rt. 70A

Mayor Falci said the Elsenheimer building is not in village property but is in the village fire district. There would be extensive changes to make it higher and wider. Possibly \$240,000 to \$300,000 for the building and renovations. The Mayor does not want to get into an annexation game with the Town over land. The Conference of Mayors says there is no problem to have the fire dept. located there. The Mayor would like any board member to make a public statement if they have thoughts on this.

Trustee McNelis would like to pursue the renovation of the DPW building on Cleveland Ave. Trustee Libordi asked if \$240,000 was a viable figure for the Elsenheimer building.

Mayor Falci said yes. Trustee Libordi said that the contractor he talked to quoted him \$50,000 to \$80,000 to refurbish the current Fire Dept. making it higher and wider. Trustee Libordi had a list from Contractor Mike Caruso showing renovations for widening the garage areas.

Charlie Chick said this was talked about several years ago when Steve Terry was Mayor.

He doesn't see where the village board is any further ahead than they were several years ago. He had proposals that never made it to the table such as the Wilkins property on Rt.21. He feels that the board owes it to the firefighters to update the fire department.

He wants a committee or planning board to look into it.

Trustee Thomas responded that the reason for the delay in updating the building is due to the amount of debt the Village has. Both of the debts will be paid off in 2008. At that point the Village will be in a position to provide changes for the department. Mayor Falci reminded Charlie Chick that he had stated previously when he became mayor that it would be a 3 to 5 year plan.

Mayor Falci would like the Fire Safety committee, Trustees Thomas, Libordi and Dick, to work with Chief D'Amato and Charlie Chick on where this village should be headed.

Trustee Thomas said we are closer than five years to having an updated fire dept.

Chief D'Amato would like himself and his assistant chiefs be part of the committee.

Trustee Libordi asked what the committee is to do. Mayor Falci responded weigh the proposals and include some village residents on the committee. Come up with one proposal that the committee thinks is the best option. Trustee Libordi asked if would be turned over as a referendum to the voters. Mayor Falci said yes.

Trustee McNelis requested that the committee have more than one proposal for residents. Glenn Thomas will be the chairman and organize the committee. Hopefully by the fall we should have an idea and referendum.

John Johnson recommended trying to get the house on the corner owned by Mr. Nelson. Mayor Falci has made three phone calls to try and talk to Mr. Nelson regarding his lawn and bushes on the corner. Mr. Nelson has received a certified letter asking to take care of these code violations.

FIRE CHIEF GAS ALLOWANCE

Chief D'Amato would like to receive a mileage sheet to show beginning call mileage and ending mileage. This would be turned in at the end of the month and the Fire Chief and First Assistant Fire Chief (Loren) would receive gas money. When he started the department averaged 10 – 11 calls. Now they are averaging 16 – 20 calls. He would like to receive what the state pays for mileage. Trustee Dick would like to give a nominal fee each month not to exceed a designated figure. Trustee McNelis asked that we look at all departments at this time. Should they also be given gas allowances? Trustee Libordi asked that they figure how many calls from the town and how many from the village. He would like to go to the town and have them contribute. Trustee Thomas noted that we have an existing fire contract with the town and they will not contribute.

Trustee Libordi would like to see the mileage numbers.

Mayor Falci would like to see \$50/month per man

Trustee Dick - \$25/month

Trustee Thomas - \$35/month

Glenn Thomas made a motion to reimburse each man (Chief and 1st assistant) \$35 per month with Phil keeping a chart of how much is being used and make a readjustment if needed. Second by Mayor Falci. Trustee Libordi – Nay, Trustee McNelis – Nay

& Trustee Dick – Abstained.

Motion was tabled until Chief D’Amato submits numbers for the board.

GARBAGE COLLECTION

The follow up on residents request to investigate other costs for rubbish removal are as follows: SDS bid \$192/year and Lippincott bid \$180/year and the City of Hornell (with the pilot) would be \$70/year. City is still the best offer. If the board authorizes the Mayor to sign a contract with the City, he will present it next month and then vote on it. He is still not sure if the City is still on the table. Mayor Falci will look at the contract and make sure if we can get out if needed. Trustee Dick believes that the Village would be tied into the contract for the extent of the pilot. Mayor Falci will investigate.

ORDWAY SEWER CONNECTION

Mayor Falci was told the lateral hook up needs no engineering from the City of Hornell or Ken Isaman (Hornellsville). A Lateral and one person hook up needs no engineering.

Trustee Libordi commented that NYS law and village codes state in section 14-2 that works without the consent of the board of Trustees is not valid and the lateral line is debatable. Mayor Falci asked the board – “We would like it to begin from scratch?” Trustee McNelis said yes and inspected to take us off any liability. It has to be inspected by the Dept of Health and a New York State engineer. The town told Mayor Falci that they are willing to pay. At this time the board will start from the beginning on this project. Superintendent D’Amato stated that he would be going to the area by Ordway’s tomorrow. He received a call from the city and there may be a problem.

TOWN & COUNTY ELECTIONS

Mayor Falci reported that petitions are to be in by July 15, 2007. Trustee Dick said June 12th is the first day to sign petitions and July 16th they are to be submitted to county board of elections.

GRASS & POOL CODES

Complaints have been received on properties in the Village with yards not being maintained. Three letters have been sent to owners. Ten days are given for property owners to clean up. If not the village will do the work and bill the property owner.

Pools need alarms if built after December 14, 2006. All pools have to have a fence (4’).

Inflatable pools – every time they put it up they need an alarm.

AIR CONDITIONER

Mayor Falci motioned that we purchase a new air conditioner for the Village hall not to exceed \$500.

Motion was second by William McNelis and carried. Mr. DiRaimondo has a 1600BTU that he is getting rid of and will give it to the Village. Mayor Falci will have DPW look at it. If not usable a new one will be purchased and installed by DPW.

CREDIT CARD USE

Trustee Libordi would like the DPW to refrain from putting merchandise on the gas cards. Only fuel on these cards. Supervisor D’Amato stated that in regards to the VISA cards, typically they only charge merchandise that they can’t pick up and put on an “in-house” charge account. Mayor Falci requested that on the Kwik fill card we need the actual receipt showing the purchased product. The Clerk mentioned that she is not getting receipts and she needs them to verify all purchases on credit cards.

CONTRACTORS PERMIT

Businesses that are a yard service will be required to have a contractors permit. If it is a friend or family member doing the work for a resident they do not need a permit.

OTHER

Mayor Falci reported that the Town dump is open Mon - Thurs 7:30AM to 3:30PM. It was closed by the DEC temporarily but is now open. The City of Hornell is also accepting village residents' yard waste.

Fire Chief D'Amato reported the number of calls year to date for the Fire Dept:

25 in the Village

70 in the Town

10 mutual aid

A total of 105 calls - year to date. Last year a total 133.

Mary Barnes a resident of 435 Cleveland Ave. is having a dispute with her neighbor Mr. Phillip Loree. Mr. Loree has stated that the Barnes' driveway is 8" on his land. Mrs. Barnes also having trouble pulling out of her drive due to Mr. Loree's bushes. She has asked Mr. Loree to trim the bushes and he said no He has given them a license he wants signed for them to use the drive that is on his property (the license also states that Mr. & Mrs. Barnes cannot touch the bushes bordering their properties). Mrs. Barnes wants him to go to the village in regards to this issue since it is Village right of way. He has stated to her that he owns the property up to the middle of the road. She is asking that the Village board to make him comply, with trimming the bushes, since this is a safety issue and also to give her assistance in dealing with the driveway issue. She would like the bushes trimmed back to the telephone pole. She said that Mayor Falci and the Village attorney told her to sign the license. Mayor Falci said that he did not tell her that. He will talk to Attorney Eric Shults.

Planning Board Chair Tim McDaniel reported that his board met on May 21, 2007 with Michael Braun (Clough Harbor), Code Enforcement James Scheider and the regional traffic engineer from DOT Gary Funk and Carl Washburn, to review the Lowes site plans. Their concerns are how it is going to affect the neighborhood and traffic. The board approves of the sound barriers and retaining walls proposed by Clough Harbor. However the traffic is the main concern. Clough harbor did a traffic study and they did not see the necessity for a traffic light. The DOT stated that it is up to the Village to determine if a light is needed. DOT recommends that there has to be two lanes coming off Rt. 36 from the north and two lanes coming off Rt. 36 from the south. Also two lanes off Rt.36 from the south onto Bethesda Dr. - one going into Lowes and one going straight thru. With that in mind there should be a light at that intersection.

The Army Corp of engineers has determined that Lowes has to change the dry pond placement. This will eliminate the possibility of an out parcel in that area. Therefore, no other store or restaurant in the Lowes plaza.

Planning board has determined that a traffic light will be placed at that intersection of Bethesda Dr. and Lowes entrance and all costs of construction of the light, payment of utilities and maintenance of the light will be the responsibility of the developer. The planning board will reevaluate the traffic after the opening of the development and if warranted will recommend change in the light pattern. There will be a sidewalk on the Bethesda side of the road from Cleveland Ave. to Rt. 36. Mr. McDaniel recommends that the Village board approve the site plans.

Trustee Dick was approached by a resident regarding the property owned by Glad Tidings Church on Seneca Rd. They would like to see the Village take ownership of that property and make it into a community park. Mayor Falci asked Trustee Dick to get more information. Supervisor D'Amato was told by the church pastor that they wanted to build a recreational hall in that location.

On July 12th in Watkins Glenn the Conference of Mayors will be sponsoring a seminar for Village owned Fire Depts. They will explain all rules and regulations that Villages have to adhere to for Fire Company's. Conference of Mayors members may attend for \$50.

PAY BILLS

Motion made by Glenn Thomas to pay bills, second William McNelis and carried.

BUILDING CODES – CHARLIE BLISS

An adjournment was taken before the work shop.

Mayor Falci introduced Charlie Bliss, Regional Director of Code Enforcement.

Mr. Bliss talked about New York regulations for site zoning and building permits. He emphasized that we don't use the term Site Permit. The term is a Special Use Permit.

EXECUTIVE SESSION

The regular meeting went into executive session at 9:45 PM.

The board came out of executive session at 10PM and the meeting was adjourned.

Village Clerk
Kristene Libordi