

**REGULAR MEETING OF THE NORTH HORNELL VILLAGE BOARD
NOVEMBER 9, 2009 7PM**

ATTENDANCE: Mayor John Falci
Trustees: Glenn Thomas, Joseph Dick, Frank Libordi
Peter DiRaimondo
Clerk Kristene Libordi
Dep Clerk Deborah Pomeroy
DPW Supervisor Gregory Zdanowski
Fire Chief Mike Robbins
Officer Scott Richardson
Architect Rex Simpson
Evening Tribune Rep Justin Head
WLEA Rep David Pascoe
Village crossing guard Mary Nisbet

Mayor Falci opened the meeting at 7PM with the pledge of allegiance.

MINUTES

Minutes of the October 5th and October 13th were approved on a motion by Trustee Glenn Thomas, second by Trustee Frank Libordi and carried.

Mayor Falci	Yes		
Trustee Thomas	Yes	Trustee Libordi	Yes
Trustee Dick	Yes	Trustee DiRaimondo	Yes

Discussion: Trustee Thomas had a correction on the October 13th minutes on page 2. The Street was Bowen St. not Bethesda Ave.

Trustee Libordi asked Crossing Guard Mary Nisbet how the school crossing situation was going. She noted that cars are still traveling too fast and has on a number of occasions had to move children out of the way of cars traveling down Woodbury Place. She has asked the drivers to slow down with no results. There are problems both on Seneca Rd, Cleveland Ave and Avondale Ave. She would like to see an officer patrolling more in the morning hours and the speed limit should be changed.

Officer Richardson noted that the 30 mph speed limit is being followed. He also informed Ms Nisbet that the drivers do not have to slow down and obey her. She is to stop traffic and cross the pedestrian. The Mayor would like to see if we could have police presence for a couple weeks during the morning hours. He asked Officer Richardson to contact Officer Kilmer regarding the patrolling of those areas in the morning. Trustee Libordi would like to construct two resolutions for either 15 or 20mph between the hours of 7:15 AM to 8:10AM and 2:15PM to 2:55PM school days. Ms. Nisbet would like to see a letter sent to the school stating the problems. The Mayor agreed that a letter should be sent.

The Mayor asked Mr. Don Hockenberry from Seneca Rd. to speak regarding the problems he has been having regarding the pump station. Mr. Hockenberry has had sewage from the pump station backing up into his basement. This is the second time this has happened. He is asking for some type of compensation for the clean up and damage done as a results of the pump station malfunction. It was recommended that he install a back up valve. Supervisor Zdanowski explained the problem at the pump station and what his recommendations are to remedy this situation. The cost for this would be \$3200.

Supervisor Zdanowski checks and cleans the pump station valve on a weekly basis and will continue. He also recommended an automatic dialer that will contact him in the event of an emergency. The Mayor asked that Mr. Hockenberry give the board an itemized list of damages and Supervisor Zdanowski to get a price on installing the backwater valve for Mr. Hockenberry.

A motion was made by Mayor Falci to have Mr. Hockenberry give an itemized list of his losses and Greg to coordinate with John Kuhn Plumbing to install the backwater valve at a cost of \$200 - \$400. Motion was seconded by Trustee Libordi and carried.

Mayor Falci	Yes		
Trustee Thomas	Yes	Trustee Libordi	Yes
Trustee Dick	Yes	Trustee DiRaimondo	Yes

Trustee Libordi asked if the forestry grant was set for revue. Chief Robbins said yes.
Trustee Libordi asked if the Mayor had talked to attorney Eric Shults regarding the Megan's law. Mayor Falci stated that the state law is sufficient for now and attorney Shults is still working on Trustee Libordi's resolution.

TREASURERS REPORT

Motion made by Trustee Thomas to approve the treasurers report, seconded by Trustee DiRaimondo and carried

Mayor	Yes		
Trustee Thomas	Yes	Trustee Libordi	Yes
Trustee Dick	Yes	Trustee DiRaimondo	Yes

Discussion: The Clerk noted that Storm Sewer Contractual A8140.4 is over and the board will need to transfer money to that account.

POLICE

Officer Richardson read the following for the month of October:

Complaints General	2
Arrests UTT	3
Assists Police	1
Total patrolled hours	96.5

Officer read a letter from Chief Smith regarding his observation of the current crossing guard issues. The letter noted the following: There were some discrepancies with the Crossing guards statement and the driver of the vehicle that allegedly passed the guard and children. The vehicle was traveling at 30mph which is the speed limit therefore the vehicle was in compliance with the law. The crossing guard should not try to control traffic by attempting to step out in front of a vehicle. Not only is this a safety issue it is also out of her realm as a crossing guard. It was also noted that Officer Kilmer reported no violations at any time during her presence. At this time Chief Smith would recommend that the crossing guard use the newly purchased LED sign. This would greatly alert drivers of her presence.

Mayor Falci will talk to Ms. Nisbet regarding the use of the LED sign.

Copies of the chief's letter are to be given to all Trustees.

Motion made by Trustee Dick to accept the police report, seconded by Trustee DiRaimondo and carried.

Mayor Falci	Yes		
Trustee Thomas	Yes	Trustee Libordi	Yes
Trustee Dick	Yes	Trustee DiRaimondo	Yes

MAINTENANCE REPORT

Supervisor Zdanowski reported for the months of October:

Pump station experienced a failure on October 26th. Supervisor had the station running with in moments of his arrival. A pump seal had to be replaced.

Clean leaves from drains and streets

Prepare equipment for winter

Clean sanitary sewers

Water main break caused by contractor installing new water service

Mill the high spots on Seneca Rd.

Greg recommended that contractors who damage village property be responsible for damage done to water or sewer lines.

Mayor Falci reported that Supervisor Zdanowski received a comprehensive study from Hunt Engineers on the cost of what they would bill the Village for the preliminary work on Seneca Rd. This would be for construction starts. Cost at a total of \$65,000. The Mayor will write a letter with the help of Mary Smith (grant writer) and give it to Eric Massa's office.

Motion to accept the maintenance report by Trustee Thomas, seconded by Trustee Libordi and carried.

Mayor Falci	Yes		
Trustee Thomas	Yes	Trustee Libordi	Yes
Trustee Dick	Yes	Trustee DiRaimondo	Yes

FIRE REPORT

Fire chief Mike Robbins reported the following:

Automatic mutual aid with Canaseraga

New DEC laws on open burning available

Letter to Allegany county EMO for ladder truck being in service

Fire inspections at BOCES and North Hornell School

Ordering new gear for those who need it

2 new members for Village approval

John Mullikin and Seth Lincoln (junior)

Snow blower raffle is going well – selling tickets at Wal-Mart

Christmas parade is December 5 at 6PM \$200 from the Village of North Hornell

2 firefighters enrolled in firefighter one

CISM training for two chaplains with the Village paying some of the cost

Halloween party went well

Fire department website updated

Ladder truck was used on its first mutual aid call to Arkport – all went well

Training hours for the month were 166.5 hours.

Calls in the Village of North Hornell	4
Town	6
Mutual Aid	2
Total Calls	11

Chief Robbins gave the clerk a reimbursement check in the amount of \$1000 from grant money.

The motion to accept Seth Lincoln as a junior firefighter was tabled.

Motion to accept John Mullikin as a new member to fire department was made by Trustee Libordi, seconded by Mayor Falci and carried.

Mayor Falci	Yes		
Trustee Thomas	Yes	Trustee Libordi	Yes
Trustee Dick	Abstn	Trustee DiRaimondo	Yes

Motion made by Trustee Thomas to pay \$89 towards the food and shovels from the ribbon cutting ceremony. Motion was seconded by Trustee Libordi and carried.

Mayor Falci	Yes		
Trustee Thomas	Yes	Trustee Libordi	Yes
Trustee Dick	Abstn	Trustee DiRaimondo	Yes

Motion made to send one fire fighter to the beginning CHISM training and 2 fire fighters to the advanced CHISM training at the cost of \$257.50 debited from A3410.4 The fire department will pay the balance of the cost. Motion was seconded by Trustee Thomas and carried.

Mayor Falci	Yes		
Trustee Thomas	Yes	Trustee Libordi	Yes
Trustee Dick	Abstn	Trustee DiRaimondo	Yes

Motion by Trustee Thomas to give the fire department \$200 towards the Village Christmas parade debited from A8989.41. Motion was seconded by Trustee Libordi and carried.

Mayor Falci	Yes		
Trustee Thomas	Yes	Trustee Libordi	Yes
Trustee Dick	Abstn	Trustee DiRaimondo	Yes

Motion by Trustee DiRaimondo to accept the fire report, seconded by Mayor Falci and carried.

Mayor Falci	Yes		
Trustee Thomas	Yes	Trustee Libordi	Yes
Trustee Dick	Abstn	Trustee DiRaimondo	Yes

CODE ENFORCEMENT

CEO Schieder was not available for the meeting.

Motion to accept the code enforcement report by Mayor Falci, seconded by Trustee DiRaimondo and carried.

HISTORIAN REPORT

Historian was not available for the meeting.

Trustee Thomas read the following:

Four pictures on display are from 1910 to 1925. First is the main road to the park (our current Elmwood Ave.) – looking north east toward the current Third St.

Second picture shows the trolley to North Hornell. The Hornell Street Company owned the trolley and went out of business in the early '20's. The trolley turned around in DuPont's field at Woodbury place. Third picture from Elmhurst Park is looking west.

Fourth picture is very rare of the dam in Elmhurst Park and the boat that was there. Large chunks of concrete from the dam are still there. The 1935 flood destroyed the dam.

OLD BUSINESS

HAZARDOUS MITIGATION PLAN

Trustee Dick recommended that the board approve the resolution. Without approval the Village would lose FEMA monies towards a disaster.

RESOLUTION

RESOLUTION ADOPTING THE STEUBEN COUNTY HAZARD MITIGATION PLAN

WHEREAS, the Village of North Hornell, with assistance from the County of Steuben, has gathered information and prepared the Steuben County Hazard Mitigation Plan (the "Plan"); and

WHEREAS, THE Plan has been prepared in accordance with the Disaster Mitigation Act of 2000;
And

WHEREAS, the Village of North Hornell, Board has reviewed the Plan and affirms that the Plan will be updated no less than every five years; now therefore, be it

RESOLVED, that this Village of North Hornell Board does hereby adopt the Draft Steuben County Pre-Disaster Multi-Jurisdictional Hazard Mitigation Plan including all corrections as may be required by FEMA and as revised from time to time.

ADOPTED this *NINTH* day of *NOVEMBER*, 2009.

Mayor Falci	Yes		
Trustee Thomas	Yes	Trustee Libordi	Yes
Trustee Dick	Yes	Trustee DiRaimondo	Yes

SECURING THE BUTTON GARAGE

Mayor Falci made a motion using Village Code 31-6 & 31-7 A, B, C authorizing the DPW Department to immediately secure the building owned by Mr. Button at 8 Wightman Ave. tax #136.14-01-043.000.

Motion was second by Trustee Dick and carried.

Mayor Falci	Yes		
Trustee Thomas	Yes	Trustee Libordi	Yes
Trustee Dick	Yes	Trustee DiRaimondo	Yes

At this time CEO Schieder is in court regarding this manor. An architect will inspect the building to determine if it is salvageable. Mr. Button will be notified of the date.

ELECTRIC SUPPLIER

Clerk Libordi gave a list of electric suppliers from the NYS Public Service Commission to the board of Trustees and Mayor Falci.

The board will make a decision at the December meeting as to staying with NYSEG Solutions or changing.

REVISION OF ZONING LAWS

Mayor Falci would like to employ an individual to help with the revision of our codes.

Trustee Thomas suggested that money be allotted for next years budget to cover possible costs. There is \$2000 in this year's budget for code. The Mayor would like to see ZBA chair Doug Dunn take this position.

Mayor Falci will check with NYCOM as to the legality of paying for someone to revise the codes. Trustee Thomas would like to appoint new members, willing to donate their time, to the ZBA next year.

SEQRA

Mayor Falci reported that the short SEQRA report showed a negative impact on the environment from the construction of the new fire hall.

NEWSLETTER

Newsletter should be out by the beginning of December.

OTHER

Trustee Libordi asked if Mayor Hogan had contacted Mayor Falci regarding the Hoffman water issue. Mayor Falci stated no.

Trustee Libordi asked that Mayor Falci contact Gene Boccia regarding the property dispute between Mr. Boccia and his neighbor Mr. Hector Hoyos.

Trustee Libordi asked Architect Simpson if there have been any change orders on the new building. He replied that he has received no change orders as of yet. He has given Contractor Joe Rose a requisition for payment. The change order on the septic tank removal should be represented on Mr. Rose's requisition for payment.

Trustee Libordi inquired about the Comprehensive Plan for the Village. Mayor Falci said we are thinking of it. Clerk Libordi will meet with someone regarding the plan.

Trustee Libordi would like to have a section in the newsletter where the residents could comment on concerns in the village. It should be put on the back page to validate that the response is coming from a newsletter. This would help in implementing the comprehensive plan.

Trustee Libordi talked with CEO Schieder regarding a resident's right to complain about a code violation in the village without concern over their name being mentioned. He noted that some residents are apprehensive for fear of having their name given to the offending party.

Architect Simpson stated that the eye wash station and the kitchen will have to be put out to bid. (Equipment in the kitchen) Mayor Falci asked if the safe room will be fire proof. Mr. Simpson stated that it will be concrete block. The ceiling will be type X dry wall at 8' or 9' high. Mr. Simpson is also working with the fire department on the radio room.

PAY BILLS

Motion made by Trustee Thomas to pay bills, seconded by Trustee DiRaimondo and carried.

Mayor Falci	Yes		
Trustee Thomas	Yes	Trustee Libordi	Yes
Trustee Dick	Yes	Trustee DiRaimondo	Yes

Discussion:

Trustee Dick questioned the bill for the rescue truck. He thought the \$1700 when the Fire Department purchased the truck, they were going to incur all costs. Chief Robbins stated it involved safety issues and wouldn't pass inspection.

Trustee Libordi was in agreement with Trustee Dick that it is questionable for the Village to pay this since originally we were only going to X amount of money towards the truck. Trustee Dick stated that since it is safety repairs he will sign the voucher.

Trustee Thomas stated that when fire departments contractual budget funds are gone, there will be no additional money added to it.

Trustee Dick questioned the purchase of a digital copier since they already have one. Assistant Chief McMichael responded that the toner for the new will lower the cost.

Cartridges they use now are very expensive. The Copier was given to them at cost from Gardner's office supplies

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EXECUTIVE SESSION

Mayor Falci adjourned the regular meeting to executive session at 9:00PM to discuss personal issue of a former fire fighter and litigation regarding the Button property.

Motion made by Mayor Falci to go into executive session, seconded by Trustee Libordi and carried.

Board out of executive session and directed the Clerk to send the letter from Attorney Joe Pelych to Village Attorney Eric Shults. Mr. Pelych is the attorney representing Lyle Young in the Young vs. Haefele and Conklin trial. Meeting was adjourned at 9:30PM.

Village Clerk
Kristene Libordi