

**REGULAR MEETING OF THE NORTH HORSELL BOARD OF TRUSTEES
JULY 13, 2009**

ATTENDANCE: Mayor John Falci
Trustees: Glenn Thomas, Joseph Dick, Frank Libordi
Peter DiRaimondo
Clerk Kristene Libordi
DPW Supervisor Gregory Zdanowski
Fire Chief Michael Robbins
Historian Walt Rutski
ZBA Chair Doug Dunn
Rex Simpson – Architect

The meeting was opened at 7PM by Deputy Mayor Glenn Thomas with the pledge of allegiance. Mayor Falci will arrive later.

MINUTES

The May 26 and June 8, 2009 minutes were approved on a motion by Trustee Frank Libordi, second by Trustee Peter DiRaimondo and carried.

TREASURER'S REPORT

Motion to approve the treasurer report was made by Trustee Joseph Dick, second by Deputy Mayor Thomas and carried.

POLICE REPORT

Not available.

Deputy Mayor Thomas made a motion to purchase 4 new tires for the police car. Motion second by Trustee DiRaimondo and carried.

MAINTENANCE REPORT

DPW Supervisor Zdanowski reported for the month of June:

Third St. project required 180' of storm pipe, 3 catch basins and a lock barrier to stop erosion from Third St to First St behind the guide rail.

Black top all over Village.

Summer help is scraping and painting at garage and restraining fence.

Mowing and pump station maintenance.

Motion made by Trustee Libordi to accept the Maintenance report, second by Trustee DiRaimondo and carried.

FIRE REPORT

Chief Robbins gave the following report:

The Department has ordered 10 pagers, ladder belts, a K12 saw, new gear axe and new radios.

The department made a total of \$1200 plus from the weekend yard sale.

Last month there were a total of 240 training hours

Training building is finished but has not been used.

On July 18th the department did traffic control for the annual Rock and Roar bike outing on Rt 36.

There will be EVOC classes on August 15th and 16th.

During the month of June there were the following fire calls:

Village	3
Town	8
Mutual Aid	1

Total 217.25 hours for all calls and they averaged 13 members per call.

The Chief presented to Clerk Libordi the Fire Departments Treasurer Report. Treasurer report showed a total of \$5919.98 in the General Fund and \$3744.89 in the Activities Fund.

Deputy Mayor Thomas asked about the Membership. Chief Robins replied that they have moved one member to exempt status which is social member only.

Motion made by Trustee Libordi to accept the Fire report, second by Trustee Dick and carried.

HISTORIAN REPORT

Historian Rutski has on display a list of all Mayors and Trustees from 1924 to 1971. He is continuing to work on that list to current.

OLD BUSINESS

MARY SMITH

Deputy Mayor Thomas introduced Mary Smith from MS Grant Writing and Resourcing. She presented her contract for working with the Village to procure grants. Her fee is a retainer of \$500 with a percentage of 6% for Fire Department and up to 10% which is negotiable. Trustee Libordi suggested that the board have Attorney Eric Shults look over the contract.

Trustee Thomas made a motion to have Mayor Falci sign the contract to hire MS Grant Writing and Resourcing upon attorney Eric Shults' approval. Motion was second by Trustee DiRaimondo and carried.

BOB RANGER

Mayor Falci would like the Board to approve the contract with Mr. Ranger for bonding of the Fire Hall.

Mayor Falci made a motion to use RW Ranger for the bonding process. Motion second by Trustee Thomas. Motion carried.

Trustee Libordi asked for Architect Rex Simpson's thoughts on hiring Mr. Ranger. Trustee Libordi stated that Mr. Ranger was disingenuous with the board (regarding the bidding) in the beginning of this process. Also his thoughts on Mr. Ranger's association with Morton Builders. Mr. Simpson agreed but believes that at this time the board will have the final decision and Mr. Ranger will have nothing to do with that process.

REX SIMPSON

Architect Rex Simpson should have the specs and prints ready by next week. He suggested that the bids go out for at least 2 to 3 weeks. There will be a \$100 deposit per copy of prints refundable upon return of prints.

DPW TRUCK

Supervisor Zdanowski will get with Mayor Falci to determine minimum amount for bids. Super Zdanowski noted that blue book price is \$4800 and if the truck goes to auction we are not guaranteed that amount. If we put it out to bid we can put a minimum on it. The other option is to keep it.

DPW Supervisor noted that if we keep it, the truck could be used for black top to save wear on the new truck. Trustee Dick noted that at last months meeting we directed the truck be sold at auction with a reserve of \$5000.

Trustee DiRaimondo made a motion to keep the truck. Motion was second by Mayor Falci. Motion was not carried.

Trustee Thomas made the motion to put the truck up for bid at a minimum bid of \$4000 with a deadline for bid of August 7' 2009 by noon. Motion was second by Trustee Libordi and carried. DPW Supervisor Zdanowski wanted to note that he did not try to mislead the board.

NEW BUSINESS

SUMMER SCHOOL FOR PLANNING AND ZBA

Motion made by Trustee Libordi to approve summer school for ZBA & Planning board members who would like to participate at the August 7th, school in Williamsville. Cost is \$70 per person for eligible members. Motion second by Trustee Dick and carried.

ELECTRICAL SUPPLIER

The board tabled the idea of using a new electric supplier until the end of the year. Currently the Village uses NYSEG Solutions and has a contract that goes to the end of the year. Board directed the clerk to have a representative from one of the suppliers come in and talk to the board. She was also directed to put the discussion on for the November agenda.

MR. & MRS. HOFFMAN

Mr. Hoffman approached the board for help in dealing with the City of Hornell regarding the double billing water at their property at 6 Wightman Ave. He feels they are being singled out. They have paid for one meter and have had one meter for the past ten years. Currently they use 14,000 gals per quarter. He questioned whether several other properties in the village with the same or similar conditions are being doubled billed. Mr. Hoffman rents to his sister in law a one chair beauty shop and the rest of the home is rented to a single person. Mr. Hoffman feels that since the contract is between the City and Village, it should be up to the Village discretion on how they consider a residence. They currently get one sewer bill.

Mayor Falci noted that Mayor Hogan stated that Mr. Hoffman had to pay. The city has other places that they are also double billing. Mrs. Fucci (Mr. Hoffman's sister-in-law) noted that the City is not metered like the Village and her business should not be compared to a business in the city. They are being singled out. The Mayor will give the Village Attorney the information and documents from Mr. Hoffman. He is not saying the Village will go to court on Hoffman's behalf but the attorney will look at the present information.

SIGNS ON BETHESDA

Mayor Falci would like to set a meeting with Gary Funk from the State regarding arrows on Bethesda Dr. There are problems already with people getting into the wrong lane going into the new Lowe's store.

JOE LIVINGSTON

Mr. Livingston expressed his concern over paying for the building permit for his new roof. According to City of Hornell Code enforcement officers a simple reroofing job without any structural change to the building is a repair and does not require a building permit. It is up to the discretion of the local code enforcement officer. His concern is that if it is not in writing what is the application of the requirement of a building permit. If it is not in writing in the codes, then it should be. Mr. Livingston stated that the NYS division of code enforcement requires as of 2007 to have a local law in place in any community that is going to undertake the code enforcement it provides for the administration and the enforcement of those codes. He asked if the Village has such a law. CEO Schieder replied yes we adopted code 1200.

Mayor Falci asked if he was to take shingles off his house and put new on does he need a permit. CEO Schieder stated if there was no structural change then a permit would not be needed. Residents still need to apply for the permit but may not need to pay for it. The CEO will check the job as it is in progress and then determine if a permit fee is to be paid.

A motion was made by Trustee Thomas to return the \$50 paid by Mr. Livingston for the building permit. Motion second by Mayor Falci and carried.

Mr. Schieder would like to note that this would be the first home that he has ever seen that did not need some structural repair. He is not going to dispute Mr. Livingston's word that he did not do any structural repair.

DPW BUILDING – FUTURE

Mayor Falci would like the Trustees to consider looking at projects for the DPW personnel regarding repairs at the DPW building. Possibly during the winter months.

FIRE DEPARTMENT

Chief Robbins and President Rutski have found a rescue truck for \$3000. They would like the board to help with the purchase of this truck. There is equipment on the truck that can be taken off and sold to help pay for the truck.

Presently all the rescue equipment is located between the various fire trucks. The rescue truck would be more efficient. They will keep it in the back of the building where the lounge used to be. They will pay costs for repairs.

Trustee Dick made a motion to spend \$2000 towards the rescue truck with the Fire department paying \$1000. Motion second by Trustee Thomas and carried.

The Department has another request for a cascade system.

The compressor can be used to fill the Departments air tanks. Currently they go to Hornell to fill tanks. This piece of equipment will not be usable until the new station is in place.

Motion made by Mayor Falci to spend \$4500 for a cascade system (compressor) with the Fire Department reimbursing the Village \$2000 before the end of fiscal year 2009 – 2010. Motion was second by Trustee Libordi and carried.

TOTTEN LANE GARAGE

Mrs. Giles a resident on Wightman Ave. asked when the garage on Totten Lane will be torn down. According to CEO Schieder it is in front of the attorney now and he should see the paperwork tomorrow.

LETTER TO LAW ENFORCEMENT

Trustee Dick recommended sending a letter to local law enforcement in the area that during the first week of the Lowe's opening there is extra coverage in that area.

MEGAN'S LAW

Trustee Libordi would like to construct or strengthen a Megan's Law for the Village that would like to keep the level 3 sex offenders out of the Village. He has been in contact with villages that have such a law. He will get a copy and conform it to fit our need and bring it to the board next month.

CONTRACTOR PERMITS

CEO Schieder would like to have noted in the minutes that we take pride in licensing our people who work in the Village to protect our residents.

PAY BILLS

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

EXECUTIVE SESSION

Trustee Thomas made a motion to go into Executive session for a legal issue, second by Trustee Dick and carried.

Trustees came out of Executive session at 9:30PM and meeting was adjourned.

Village Clerk
Kristene Libordi