

**REGULAR MEETING OF THE NORTH HORNEILL VILLAGE BOARD
FEBRUARY 13, 2012 7PM**

ATTENDANCE: Mayor John Falci
Trustees: Glenn Thomas, Joseph Dick, Frank Libordi
& Peter DiRaimondo
Clerk Kristene Libordi
Supervisor Gregory Zdanowski
Fire Chief Mike Robbins
ZBA Mary Barnes
Evening Tribune Christine
WLEA Brian O'Neil

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

MINUTES

The minutes were approved on a motion by Trustee Frank Libordi, seconded by Trustee Glenn Thomas and carried.

Mayor Falci	Aye		
Trustee Thomas	Aye	Trustee Libordi	Aye
Trustee Dick	Aye	Trustee DiRaimondo	Aye

No discussion.

TREASURERS REPORT

The Treasurers report for December '11 and January '12 were approved on a motion by Trustee Thomas, seconded by Trustee Peter DiRaimondo and carried.

Mayor Falci	Aye		
Trustee Thomas	Aye	Trustee Libordi	Aye
Trustee Dick	Aye	Trustee DiRaimondo	Aye

POLICE REPORT

OIC Marcus Smith was absent. No report

MAINTENANCE REPORT

Supervisor Gregory Zdanowski gave the following report:

Maintenance at Village Hall – take out old heat radiators from offices and conference room.

Put up new wood moldings in offices and hallway.

Avondale Ave - take out old trees

Snow and ice control

Pumps #1 & #2 unplugged

Koesters should be able to get Type X propellers. Flow meter was repaired and replaced.

Power saver was installed at pump station for 4 months trial at no charge. Should save on electrical use.

Discussion: Mayor Falci stated that the rags that were clogging the pump station could be controlled by installing the new propellers.

A motion to accept the Maintenance report was made by Trustee DiRaimondo, seconded by Trustee Glenn Thomas and carried.

Mayor Falci	Aye		
Trustee Thomas	Aye	Trustee Libordi	Aye
Trustee Dick	Aye	Trustee DiRaimondo	Aye

OLD BUSINESS

MARICK PARK SITE PLANS

The plans have been tabled until Mr. & Mrs. Giles meet with the DEC and any concerns (storm water and sanitary sewers) have been met. Then a letter will be issued to the Giles stating that all concerns have been addressed and the Giles may proceed. Mayor Falci stated that the Village will need copies of the letters. The same with the Army Corp. Once that is completed it will all go to the health department for final approval. CEO Schieder would like to have prints of the subdivision. Mr. Giles will send a copy to Mr. Schieder.

CROSS CONNECTION CONTROL RESOLUTION

RESOLUTION #4-2012

The following resolution was offered by Trustee Glenn Thomas, seconded by Mayor John Falci and carried:

RESOLVED, by the Village of North Hornell Board of Trustees at their February 13, 2012 Regular Board meeting to adopt the Cross Connection Control policy as follows:

SECTION 1 – CROSS-CONNECTION CONTROL – GENERAL POLICY

1.1 PURPOSE

The purpose of this local law is:

- 1.1.1 To protect the public potable water supply of the Village of North Hornell from possibility of contamination or pollution by isolating within the customer's internal distribution system(s) or the customer's private water system(s) or the customer's private water system(s) such contaminants or pollutants that could backflow into the public water system; and,
- 1.1.2 To promote the elimination of control of existing cross-connections, actual or potential, between the customer's in-plant potable water system(s) and nonpotable water system, plumbing fixtures, and industrial piping systems; and,
- 1.1.3 To provide the maintenance of a continuing program of cross-connection control that will systematically and effectively prevent the contamination or pollution of all potable water systems.
- 1.1.4 To comply with the requirements of the New York State Sanitary Code, Part5, Section 5.1.31.

1.2 RESPONSIBILITY

The Village shall be responsible for the protection of the public potable water distribution system from contamination or pollution due to the backflow of contaminants or pollutants through the water service connection. If, in the judgment of said Village, an approved backflow-prevention assembly is required (at the customer's water service connection: or, within the customer private water system) for the safety of the water system, the Village or his/her designated agent shall give notice in writing to said customer to install such an approved backflow-prevention assembly(s) at specific location(s) on his/her premises. The customer shall immediately install such approved assembly(s) at his/her own expense; and, failure, refusal, or inability on the part of the customer to install, have tested, and maintain said assembly(s) shall constitute

grounds for discontinuing water service to the premises until such requirements have been satisfactorily met.

SECTION 2 DEFINITIONS

2.1 APPROVED

Accepted by the authority responsible as meeting and applicable specification stated or cited in this local or as suitable for the proposed use.

2.2 AUXILIARY WATER SUPPLY

Any water supply on or available to the premises other than the purveyor's approved public water supply. These auxiliary waters may include water from another purveyor public potable water supply or any natural source(s), such as a well, spring, River, stream, harbor, and so forth; used waters; or industrial fluids.

2.3 BACKFLOW

The undesirable reversal of flow in a potable water distribution system as a result of a cross connection.

2.4 BACKPRESSURE

A pressure, higher than the supply pressure, caused by a pump, elevated tank, boiler, or any other means that may cause backflow.

2.5 BACKSIPHONAGE

Backflow caused by negative or reduced pressure in the supply piping.

2.6 BACKFLOW PREVENTER

An assembly or means designed to prevent backflow.

2.6.1 AIR GAPS. The unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet conveying water or waste to a tank, plumbing fixture, receptor, or other assembly and the flood level rim of the receptacle. These vertical, physical separations must be at least twice the diameter of the water supply outlet, never less than 1 in. (25 mm).

2.6.2 REDUCED-PRESSURE BACKFLOW-PREVENTION ASSEMBLY. The approved reduced-pressure principle backflow-prevention assembly consists of two independently acting approved check valves together with a hydraulically operating, mechanically independent pressure differential relief valve located between the check valves and below the first check valve. These units are located between two tightly closing resilient-seated shutoff valves as an assembly and equipped with properly located resilient-seated test cocks.

2.6.3 DOUBLE CHECK VALVE ASSEMBLY. The approved double check valve assembly consists of two internally loaded check valves, either spring loaded or internally weighted, installed as a unit between two tightly closing resilient-seated shutoff valves and fitting with properly located resilient-seated test cocks. This assembly shall only be used to protect against a nonhealth hazard (that is, a pollutant).

2.7 CONTAMINATION

An impairment of a potable water supply by the introduction or admission of any foreign substance that degrades the quality and creates a health hazard.

2.8 CROSS CONNECTION

A connection or potential connection between any part of a potable water system and any other environment containing other substances in a manner that, under any circumstances would allow such substances to enter the potable water system. Other substances' maybe gases, liquids or solids, such as chemicals, waste products, steam, water from other sources (potable or nonpotable), or any matter that may change the color or add odor to the water.

2.9 CROSS CONNECTION – CONTROLLED

A connection between a potable water system and a nonpotable water system with an approved backflow-prevention assembly properly installed and maintained so that it will continuously afford the protection commensurate with the degree of hazard.

2.10 CROSS-CONNECTION CONTROL BY CONTAINMENT

The installation of an approved backflow-prevention assembly at the water service connection to any customer's premises, where it is physically and economically unfeasible to find and permanently eliminate or control all actual or potential cross connections within the customer's water system; or it shall mean the installation of an approved backflow-prevention assembly on the service line leading to supplying a portion of a customer's water system where there are actual or potential cross connections that cannot be effectively eliminated or controlled at the point of the cross connection.

2.11 HAZARD DEGREE OF

The term is derived form an evaluation of the potential risk to public health and the adverse effects of the hazard upon the potable water system.

2.11.1 HAZARD-HEALTH. A cross connection or potential cross connection involving any substance that could, if introduced in the potable water supply, cause death, illness, spread disease, or have high probability of causing such effects.

2.11.2 HAZARD PLUMBING. A plumbing-type cross connection in a consumer's potable water system that has not been properly protected by an approved air gap or an approved backflow-prevention assembly.

2.11.3 HAZARD NONHEALTH. A cross connection or potential cross connection involving any substance that generally would not be a health hazard but would constitute a nuisance or be aesthetically objectionable, if introduced into the potable water supply.

2.11.4 HAZARD – SYSTEM. An actual or potential threat of severe damage to the physical properties of the public potable water system or the consumer's potable water system or of a pollution or contamination that would have a protracted effect on the quality of the potable water in the system.

2.12 INDUSTRIAL FLUIDS SYSTEM

Any system containing a fluid or solution that may be chemically, biologically, or otherwise contaminated or polluted in a form or concentration, such as would constitute a health, system, pollution, or plumbing hazard, if introduced into an approved water supply. This may include, but not be limited to: polluted or contaminated waters; all types of process waters and used waters originating from the public potable water

system that may have deteriorated in sanitary quality; chemicals in fluid form; plating acids and alkalies; circulating cooling waters connected to an open cooling tower; and/or cooling towers that are chemically or biologically treated or stabilized with toxic substances; contaminated natural waters, such as wells, spring, streams, rivers, bays, harbors, seas, irrigation canals or systems, and so forth; oils, gases, glycerin, paraffin's, caustic and acid solutions, and other liquid and gaseous fluids used in industrial or other purposes for fire-fighting purposes.

2.13 POLLUTION

The presence of any foreign substance in water that tends to degrade its quality so as to constitute a nonhealth hazard or impair the usefulness of the water.

2.14 WATER – POTABLE

Water that is safe for human consumption as described by the public health authority having jurisdiction.

2.15 WATER – NONPOTABLE

Water that is not safe for human consumption or that is of questionable quality.

2.16 SERVICE CONNECTION

The terminal end of a service connection from the public potable water system, that is, where the water purveyor loses jurisdiction and sanitary control over the water at its point of delivery to the customer's water system. If a meter is installed at the end of the service connection, then the service connection shall mean the downstream end of the meter. There should be no unprotected takeoffs from the service line ahead of any meter of backflow-prevention assembly located at the point of connection from a fire hydrant and all other temporary or emergency water service connections from the public potable water system.

2.17 VILLAGE

The Village of North Hornell or a division of the government of the Village that is responsible for the supply of water service to customers. The Village is invested with the authority and responsibility for the implementation of an effective cross-connection control program and for the enforcement of the provisions of this local law.

2.18 WATER – USED

Any water supplied by a water purveyor from a public potable water system to a consumer's water system after it has passed through the point of delivery and is no longer under the sanitary control of the water purveyor.

SECTION 3 REQUIREMENTS

3.1 WATER SYSTEM

3.1.1 The water system shall be considered as made up of two parts: the utility system and the customer system.

3.1.2 Utility system shall consist of the source facilities and the distribution system, and shall include all those facilities of the water system under the complete control of the utility, up to the point where the customer's system begins.

3.1.3 The source shall include all components of the facilities utilized in the production, treatment, storage, and delivery of water to the distribution system.

3.1.4 The distribution system shall include the network of conduits used for the delivery of water from the source to the customer's system.

3.1.5 The customer's system shall include those parts of the facilities beyond the termination of the utility distribution system that are utilized in conveying utility-delivered domestic water to points of use.

3.2 POLICY

3.2.1 No water service connection to any premises shall be installed or maintained by the water purveyor unless the water supply is protected as required by state laws and regulations and this local law. Service of water to any premises shall be discontinued by the water purveyor if a backflow-prevention assembly required by this local law is not installed, tested, and maintained, or if it is found that a backflow-prevention assembly has been removed, bypassed, or if an unprotected cross connections exists on the premises. Service will not be restored until such conditions or defects are corrected.

3.2.2 The customer's system should be open for inspection at all reasonable times to authorized representatives of the Village to determine whether cross connections or other structural or sanitary hazards, including violations of these regulations, exist. When such condition becomes known, they shall deny or immediately discontinue service to the premises by providing for a physical break in the service line until the customer has corrected the condition(s) in conformance with state and Village statutes relating to plumbing and water supplies and the regulations adopted pursuant thereto.

3.2.3 An approved backflow-prevention assembly shall be installed on each service line to a customer's water system at or near the property line or immediately inside the building being served; but in all cases, before the first branch line leading off the service line wherever the following conditions exist.

a. In the case of premises having an auxiliary water supply that is not or may not be of safe bacteriological or chemical quality and that is not acceptable as an additional source by the Village, the public water system shall be protected against backflow from the premises by installing an approved backflow-prevention assembly in the service line, appropriate to the degree of hazard.

b. In the case of premises on which any industrial fluids or any other objectionable substances are handled in such a fashion as to create an actual or potential hazard to the public water system, the public system shall be protected against backflow from the premises by installing an approved backflow-prevention assembly in the service line, appropriate to the degree of hazard. This shall include the handling of process waters and waters originating from the utility system that have been subject to deterioration in quality.

c. In the case of premises have (1) internal cross connections that cannot be permanently corrected and controlled, or (2) intricate plumbing and piping arrangements or where entry to all portions of the premises is not readily accessible for inspection purposes, making it impracticable or impossible to ascertain where or not dangerous cross connections exist, the public water system shall be protected against backflow from the premises by installing an approved backflow-prevention assembly in the service line at the terminal end of the service connection.

3.2.4 The type of protection assembly required under subsections 3.2.3 a, b, and c shall depend upon the degree of hazard that exists as follows:

- a. In the case of any premises where there is an auxiliary water supply as stated in subsection 3.2.3 a of this section and it is not subject to any of the following rules, the public water system shall be protected by an approved air-gap separation or an approved reduced pressure principle backflow-prevention assembly.
- b. In the case of any premises where there is water or substance that would be objectionable but not hazardous to health, if introduced into the public water system, the public water system shall be protected by an approved double check valve assembly.
- c. In the case of any premises where there is any material dangerous to health that is handled in such a fashion as to create an actual or potential hazard to the public water system, the public water system shall be protected by an approved air-gap separation or an approved reduced-pressure principle backflow-prevention assembly. Examples of premises where these conditions will exist include sewage treatment plants, sewage pumping stations, chemical manufacturing plants, hospitals, mortuaries, and plating plants.
- d. In the case of any premises where there are “uncontrolled” cross connections, either actual or potential the public water system shall be protected by an approved air-gap separation or an approved reduced-pressure principle backflow-prevention assembly at the service connection.
- e. In the case of any premises where, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete in-plant cross-connection, survey, the public water system shall be protected against backflow from the premises by either an approved air-gap separation or unapproved reduced-pressure principle backflow-prevention assembly on each service to the premises.
- f. In the case of any premises where, in the opinion of the Village, undue health threat is posed because of the presence of extremely toxic substances, the Village may require an air gap at the service connection to protect the public water system. This requirement will be at the discretion of the Village and is dependent on the degree of hazard.

3.2.5 Any backflow-prevention assembly required herein shall be a model and size approved by the Village and the New York State Department of Health. The term approved backflow-prevention assembly shall mean an assembly that has been manufactured in full conformance with the standards established by the American Waterworks Association titled:
AWWA c510-89 – Standard for Double check Valve Backflow-Prevention Assembly, and
AWWA c511-89 – Standard for Reduced-pressure principle Backflow-prevention Assembly,
and have met completely the laboratory and field performance specifications of the Foundation for Cross-Connection Control and Hydraulic Research of the University of Southern California established by “Specification of Backflow-Prevention Assemblies” – Sec. 10 of the most current issue of the Manual of Cross-Connection Control.

3.2.6 It shall be the duty of the customer-user at any premises where backflow-prevention assemblies are installed to have certified inspections and operational tests made at least once per year. In those

instances where the Village deems the hazard to be great enough, certified inspections may be required at more frequent intervals. These inspections and tests shall be at the expense of the water user and shall be performed by a tester certified by the New York State Department of Health. It shall be the duty of the Village to see that these tests are made in a timely manner. The customer user shall notify the Village in advance when the tests are to be undertaken so that the customer user may witness the tests if so desired. These assemblies shall be repaired/overhauled/or replaced at the expense of 3.2.7 the customer user and whenever said assemblies are found to be defective. Records of such tests, repairs and overhaul shall be kept and made available to the Village.

3.2.7 All presently installed backflow-prevention assemblies that do not meet the requirements of this section but were approved assemblies for the purpose described herein at the time of installation and that have been properly maintained shall, except for the inspection and maintenance requirements under subsection 3.2.6, be excluded from the requirements of these rules so long as the Village is assured that they will satisfactorily protect the utility system. Whenever the existing assembly is moved from the present location requires more than minimum maintenance, or when the Village finds the maintenance constitutes a hazard to health, the unit shall be replaced by an approved backflow-prevention assembly meeting the requirements of this section.

SECTION 4 - INCONSISTENCY

All other local laws and ordinances of the Village of North Hornell inconsistent with the provisions of this Local Law are hereby repealed; however, that such repeal shall be only to the extent of such inconsistency and in all other respects this Local Law shall be in addition to such other local laws or ordinances regulating and governing the subject matter covered by this Local Law.

SECTION 5 – UNCONSTITUTIONALITY AND ILLEGALITY

If any clause, sentence, paragraph, word, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair, or invalidate any paragraph, work, section or part thereof not directly involved in the controversy in which such judgment shall have been rendered.

SECTION 6 – EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Secretary of State.

Mayor Falci	Aye		
Trustee Thomas	Aye	Frank Libordi	Aye
Trustee Dick	Aye	Trustee DiRaimondo	Aye

SENECA BRIDGE UPDATE

Mayor Falci reported that Village share of the bridge replacement will be \$22,000 and we will not be billed until the end of 2013. There will not be a foot bridge due to the cost. The school will run extra buses during school sessions and sporting practices. There will be dial a rides for the handicapped through the City HAT buses.

Fisher Engineers will have a Public information meeting at the Village Hall sometime towards the end of February

The date will be publicized.

SENECA RD PLANS

The Mayor stated that the bump outs in the proposed Seneca Rd plans will not be done. Paving and curbs will be done at a cost of \$1m. The board needs to decide if they will put money toward a full engineering study (\$50,000 - \$60,000) or to maintain the road for another 5 years. Hunt Engineer is recommending going down 3 mill and blacktopping with new curbs. New sidewalks would be an additional cost.

POLICE CAR

Mayor Falci stated that a local car dealer would sell a used 2005 Dodge Charger for \$9350 without trade in or \$8850 with a trade. Currently \$6000 was budgeted in A3120.4.

A motion was made by Trustee Thomas to move \$3000 from A 1010.4 to A3120.2 to pay for the new vehicle. Motion was seconded by Trustee DiRaimondo and carried.

Mayor Falci	Aye		
Trustee Thomas	Aye	Trustee Libordi	Aye
Trustee Dick	Aye	Trustee DiRaimondo	Aye

JOE JOHNSON CREDIT

A motion was made by Trustee Thomas directing the clerk to request the \$5862.94 credit at Joe Johnson be returned to the Village in the form of a check. Motion was seconded by Trustee Dick and carried.

Mayor Falci	Aye		
Mayor Thomas	Aye	Trustee Libordi	Aye
Trustee Dick	Aye	Trustee DiRaimondo	Aye

FIRE DEPARTMENT BY-LAWS

A motion was made by Mayor Falci to accept the Fire Department By-Law changes, seconded by Trustee DiRaimondo and carried.

Mayor Falci	Aye		
Mayor Thomas	Aye	Trustee Libordi	Aye
Trustee Dick	Abstain	Trustee DiRaimondo	Aye

NEW BUSINESS

FLOORING BIDS FOR CONFERENCE ROOM

Mayor presented representatives from Lowes to show products that they can provide for the conference floor and the adjoining bathroom. Products were laminates and Dura stone. The board opened bids from Decorators Choice, Mullen's and Lowe's.

Trustee Libordi read the Lowes Bid for Dura Stone \$3658.72 does not include labor. Desert slate \$3559.21 Labor \$822.00.

Trustee Thomas read the bid from Decorators Choice for Laminate for \$3235.53, \$3824.47 and Dura Ceramic for \$3956.36. All prices include installation and are for the conference room only.

Trustee Dick read the bid from Mullen's Carpet for Masterpiece collection laminate \$3613.00 labor included.

The Mayor would like the Clerk to make a chart of the bids received for the board's next meeting.

BUDGET WORKSHOP DATES

Dates for the budget workshop were scheduled for February 21st at 5:00 PM and February 27th at 5:00 PM.

OTHER

WORKERS COMPENSATION

Mayor Falci stated that he and Trustee Thomas determined that the Village received a 5.6% decrease in the Town Tax. The board will sign the voucher to pay 1/2 of the workers compensation with the balance to be paid in June.

ENVIRONMENTAL EMERGENCY SERVICES BILL

Trustee Dick would like to have a letter sent to Mike Sprague requesting how many other communities in this region donate money to this organization. The board would like this information before sending \$500.

FIRE DEPARTMENT RENOVATION

Trustee DiRaimondo questioned CEO Schieder about the insulation being used upstairs acting as a vapor barrier. CEO Schieder stated only if it is rated as a vapor barrier. Trustee DiRaimondo would like to eliminate an unneeded step. Currently there is plastic sheeting against outside wall and then the 6 1/2” of insulation over that in an area that is only 3”. Mr. Schieder said it should not be compressed because you’ll lose the R value. The board would like the CEO to look at the work that is being done and make recommendations.

CLEVELAND AVE SCHOOL ZONE

Trustee Libordi noted that the State Police troopers have been very successful on slowing traffic on Seneca Rd and he would like to see if they could have a presence on Cleveland Ave. He has had calls from residents in the area that say there are problems at certain times of the day with school traffic. Trustee Thomas noted that Officer McNelis has been patrolling during the afternoon in that area.

PROPERTY TAX CAP

Clerk Libordi asked if the board would override the tax cap. The Mayor stated that we still had time before budget adoption if we needed to pass tax cap. At the February 21st meeting the board will adopt the override of the tax cap.

PAY BILLS

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

Mayor Falci	Aye		
Mayor Thomas	Aye	Trustee Libordi	Aye
Trustee Dick	Aye	Trustee DiRaimondo	Aye

Respectfully submitted,

Kristene Libordi