

**REGULAR MEETING OF THE NORTH HORSELL VILLAGE BOARD**  
**June 10, 2019 7:00 PM**

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**ATTENDANCE:** Mayor: John Falci  
Trustees: Frank Libordi, Joseph Ingalls, Josh Greenthal  
Joseph Flint  
Clerk Vanessa Scott  
Treasurer Kristene Libordi  
Fire Chief Michael Robbins - late  
OIC Scott Richardson - Absent  
Public Works Superintendent Richard Scavo  
Public Works Charles Harrison

Mayor Falci opened the meeting at 7:00 PM with the pledge of allegiance.

**MINUTES**

A motion to accept the May Minutes was made by Trustee Frank Libordi, seconded by Trustee Joseph Flint and carried.

Mayor Falci	Aye		
Trustee Libordi	Aye	Trustee Greenthal	Aye
Trustee Ingalls	Aye	Trustee Flint	Aye

**TREASURER'S REPORT**

A motion to accept the Treasurer's Report was made by Mayor Falci, seconded by Trustee Ingalls and carried.

Mayor Falci	Aye		
Trustee Libordi	Aye	Trustee Greenthal	Aye
Trustee Ingalls	Aye	Trustee Flint	Aye

Treasurer Kris Libordi asked the board how they would like to receive the report from here forward. All agreed Email was best at this time. Mayor Falci said he would like a hard copy for, the rest of the board agreed if they want a copy; they will contact her for a hard copy.

**CODE ENFORCEMENT REPORT**

Code Enforcement Officer William Rusby was absent. Mayor Falci asked if anyone had any questions about the Report.

A motion to accept the Code Enforcement Report was made by Trustee Frank Libordi, seconded by Mayor Falci and carried.

Trustee Libordi asked if Elderwood accepted the final approval of the board for placement of the proposed new sign. No notice has been given to the village office. No permit will be approved unless the sign is placed in the appropriate area.

Trustee Libordi also asked if there are notices given to residents who are mowing grass into road ways. Nothing at this time is known to be done. Mayor Falci asked DPW Superintendent Rich Scavo about getting addresses of people that are doing this and to get it to Bill Rusby so he can give them a notice that this is illegal and needs to stop immediately. Rich Scavo also mentioned it causes them to have to shovel the grass out of the catch basins.

It was recommended to have the Clerk put the notice on the website. Mayor Falci also discussed the issue with the contractor that didn't go through the correct channels to work in the village and is now banned from working in North Hornell and is under investigation for a situation with one of the residents he was doing work for. He explained the necessity of getting the correct information to the Village so these situations don't happen in the future. He explained that the village does investigations on individuals that apply to work in the village to protect

the residents and the village. He asked residents to make sure they don't sign anything with a contractor until they are sure they have had the background check through the village and are legal to do the work. Residents asked to also have the information about grass in the streets to be put on the website. The Clerk will do this immediately on Tuesday, June 11, 2019. Charlie Harrison also added that it is also illegal to mow grass trimmings on your neighbor's property.

A motion to accept the Code Enforcement Officers Report was made by Mayor Falci, seconded by Trustee Flint and carried.

Mayor Falci	Aye		
Trustee Libordi	Aye	Trustee Greenthal	Aye
Trustee Ingalls	Aye	Trustee Flint	Aye

## **POLICE REPORT**

Police OIC Scott Richardson was not in attendance. Mayor went over the report. Mayor Falci also informed the board that Scott Richardson announced his retirement from the department. Mayor Falci then read the retirement letter he received from Officer Richardson. He is willing to stay on the books to help with the transition and to help in the future if there is a shortage and a need for him to "fill in". He is not interested in continuing as the OIC for the Village due to his new position at the College Academy taking up most of his time not allowing him to fulfill his duties and cover the Village as needed. The Mayor also mentioned he has other ideas of continuing with police presence in the Village and will discuss it at a later time. He is prepared to talk to the City of Hornell for possible shared services and also has a couple names that he received from Scott Richardson of other officers that may be available to replace him as OIC for the Village. Kurt Amidon has agreed to do as many hours as he can to continue to cover continued concerns.

A motion to accept the Police Report was made by Trustee Flint, seconded by Trustee Ingalls and carried.

Mayor Falci	Aye		
Trustee Libordi	Aye	Trustee Greenthal	Aye
Trustee Ingalls	Aye	Trustee Flint	Aye

## **MAINTENANCE REPORT**

Questions again about grass and sand being noted in the report of clean up. Rich Scavo explained that streets were cleaned by the county and washed back into the village causing a buildup of sand which needed their attention 2 times to shovel and clean the catch basins out so water wouldn't build up. This is also the same for grass noted in the report.

The Mayor thanked Mr. Scavo for coming away from a personal situation on a late Friday due to the water situation on Seneca Road and taking care of it during his own time.

Rich Scavo made mention that he received quotes per the board's request for estimates on how much it would cost to get the water situation repaired from Linwood to Elmwood. He passed around the estimates he received to each trustee and the mayor. He told the board he would recommend he and Charlie Harrison do as much of the repair as possible to help save the village money. A couple of the residents that are involved with the water situation are concerned with the driveway being cut and how it would be repaired and mentioned that the concrete is not going to match and need to make sure the residents are going to be ok with it. Rich Scavo explained that he will talk to them and make sure they understand what he would be able to do and what it would look like. It's hopeful the residents will understand and be agreeable to move forward understanding that it will look like a "patch job" but there is not much else that can be done. He informed the board that all residents signed the easements with the exception of Hookers and they are on file at the Clerk's office.

He also mentioned a Hydrant will need to be replaced and one will need to be added during the project repair. Rich Scavo also mentioned he may need to bring in another employee that is on the books, Tom Vondercheck, to assist part time with doing the project and help it to move along as quickly as possible.

Mayor Falci and Rich Scavo discussed the amount budgeted for the water project. Mr. Scavo mentioned he originally budgeted \$30,000 and it was cut during budget negotiations and mentioned he budgeted for the first and second phase and that was with the village doing most of the work. More discussion about this took place.

Mr. VanKeuren mentioned that he needs to have his sewer replaced and asked Rich Scavo if it would hinder what he needs to do with the water project. Rich said he thought it would be ok to move forward with that.

A motion to accept the Maintenance Report was made by Mayor Falci, seconded by Trustee Greenthal and carried.

Mayor Falci	Aye		
Trustee Libordi	Aye	Trustee Greenthal	Aye
Trustee Ingalls	Aye	Trustee Flint	Aye

## **FIRE REPORT**

Fire Chief Robbins was late coming to the meeting.

Chief Robbins read the report.

The Mayor asked Clerk Scott if anyone emailed questions that were to be discussed with Chief Robbins in reference to submission and policies of how bills and purchasing would be done. Clerk Scott reported nothing was received.

Discussion began and questions were brought to Fire Chief Robbins from Trustee Ingalls about the Churchville invoices that were not approved at the May Meeting. This was in hopes to clear up any and all concerns about the practice of getting work done and if prior approval is necessary before certain work is done. Chief Robbins told the committee that Todd Smith, a representative from Churchville is available to come at any time to talk about questions and clear up any misunderstanding as far as necessary work done on the trucks for the fire department and the cost involved. Chief Robbins also told the board that he requests that the charges for those bills, \$5,225.96 that was held out of last fiscal year's budget, be re-submitted against that money from the 2018-2019 budget so that those bills, if signed at tonight's meeting, won't be deducted from the 2019-2020 budget. He mentioned that the board knew ahead of time that these bills were coming and were submitted in time to be taken out of that budget at that time. He also mentioned that the board knew ahead of time of the possible overages at that time. He would like the money from the contingency account to cover the "held bills". Trustee Libordi asked if a resolution would be needed to cover the shortfall of these invoices.

Trustee Greenthal said he was just concerned with the lack of communication and was concerned with the amount of bills that were turned in within a month's time compared to previous months. He thought it just seemed like a lot all at once and prior notice should be given to the board.

Trustee Libordi noted a couple items that were listed were "at the request of the fire department".

Trustee Ingalls asked if only Churchville was licensed to do the work necessary on the fire trucks. Chief Robbins reported that he has NICHE do the general maintenance but safety on the trucks has to be done by a certified shop and Churchville is the closest and comes to North Hornell to do the work which cuts down on the time the truck is out of service and less miles put on the trucks having them come to North Hornell.

The Board approved attendance to July 4<sup>th</sup> parades and the Summer Fest Parade in Arkport.

Fire Company reported they are writing and funding a standard DEC grant this year (it's a \$3,000 grant with \$1,500 to be reimbursed from the State at a later date). Trustee Ingalls asked if possible to make sure that the Village would get a copy of the grant so the Village would be informed if there would be a cost to Village at a later date. Chief Robbins said the only cost to village in the future would be new chains and chain saw maintenance.

One member for approval – Curtis Harris

Current membership – 29 Regular members and 3 Jrs. (one regular member resigned due to moving away)

Total calls for Town	5
Village	3
Fire Alarm Checks	2
M/A	2

A motion to accept the Fire Report was made by Trustee Joshua Greenthal, seconded by Mayor Falci and carried.

Mayor Falci	Aye		
Trustee Libordi	Aye	Trustee Greenthal	Aye
Trustee Ingalls	Aye	Trustee Flint	Aye

A motion to approve Curtis Harris for membership as an exterior firefighter was made by Mayor Falci, seconded by Trustee Greenthal and carried.

Mayor Falci	Aye		
Trustee Libordi	Aye	Trustee Greenthal	Aye
Trustee Ingalls	Aye	Trustee Flint	Aye

A motion to approve Fire trucks going to July 4<sup>th</sup> Parades and the Summer Fest parades in Arkport was made by Mayor Falci, seconded by Trustee Greenthal and carried.

Mayor Falci	Aye		
Trustee Libordi	Aye	Trustee Greenthal	Aye
Trustee Ingalls	Aye	Trustee Flint	Aye

## NEW BUSINESS

### RESOLUTION 21-2019 - BUDGETARY AMENDMENT

The following Resolution was made by Mayor John Falci, seconded by Frank Libordi and carried,

**RESOLVED**, that the Village of North Hornell Board of Trustees at their Regular Board Meeting on June 10, 2019 approved the transfer of funds from A1991.4 Contingent account in the amount of \$558.30 to A1910.4 Insurance expenditure account for balance due to Rink/Partridge insurance.

	Aye	Nay
Mayor Falci	X	
Trustee Libordi	X	
Trustee Ingalls	X	
Trustee Greenthal	X	
Trustee Flint	X	

### RESOLUTION 22-2019 - BUDGETARY AMENDMENT

The following Resolution was made by Trustee Frank Libordi, seconded by Trustee Joshua Greenthal and carried,

**RESOLVED**, that the Village of North Hornell Board of Trustees at their Regular Board Meeting on June 10, 2019 approved the transfer of funds from A231 Water Reserve \$29,000 to A3220.4R Common Water Seneca Rd Water Project expenditure account.

	Aye	Nay
Mayor Falci	X	
Trustee Libordi	X	
Trustee Ingalls	X	
Trustee Greenthal	X	
Trustee Flint	X	

Mayor Falci reported that this money was budgeted and needed to get the money out of the account. Mr. Scavo reported that he had already budgeted \$30,000 for the water account and it was cut from the current budget. This will wipe out the water reserve account which is a concern for Mr. Scavo and he just wants to let the board know that this is not a good thing. Treasurer Libordi reported that it will take 30 days after the resolution has been approved to move the money. This is true any time money is to be moved from a reserve account. It was reiterated that this part of the project is covering work from Linwood to Elmwood. Other areas will be done at a different time.

Trustee Ingalls asked about Insurance Reserve Account and it was discussed at this time and thought it may be able to be used towards anything but insurance. He wondered if it is not being used if they should close it or move the money in to a different account. Treasurer Kris Libordi discussed with the committee her understanding that it was possible to us it towards insurance/attorney fees. It was thought there may be a need for a municipal attorney and that this account would possibly be used for this purpose. As far as insurance, she was unable to find why it was

originally set up. She reported that this was set up before her employment. Mayor Falci said they put money away in an account where they could come back and use it. Treasurer Libordi said she would call and ask what should be done with the said account at this time and if it could be dismissed. She went back and read past resolutions trying to find out where the account started and the expected use for it. She reported she was still unable to find anything and will call to find out what should be done with this account and if and how it can be dismissed.

**RESOLUTION 23-2019 - BUDGETARY AMENDMENT**

The following Resolution was made by Mayor John Falci, seconded by Trustee Joseph Ingalls and carried,

**RESOLVED**, that the Village of North Hornell Board of Trustees at their Regular Board Meeting on June 10, 2019 authorized the Treasurer to open a checking account at Steuben Trust in the amount of \$2,000 out of General Fund Balance for payment of monthly charges to the Village debit/credit card.

	Aye	Nay
Mayor Falci	X	
Trustee Libordi	Abstain	
Trustee Ingalls	X	
Trustee Greenthal	X	
Trustee Flint	X	

Mayor Falci announced at this time that the Village has a new Clerk, Vanessa Scott. He introduced her, referenced past experience that she brings to the Village from her 24 years of service at the Canaseraga Central School System. He reminded the board that she started in October 2018 and trained over the past 8 months to take the position of Clerk upon Kris Libordi’s partial retirement. He thanked Kris for her great mentoring and training Vanessa for the position of Clerk to make the transition as smooth as possible. He commended both on a job well done.

**OATH OF OFFICE CLERK/REGISTRAR/RMO**

Mayor Falci announced the change of positions for Vanessa Scott from Deputy Clerk/Deputy Registrar as the new Village Clerk starting on June 1, 2019. Mayor Falci had her take the Oath of office as the Clerk and Registrar.

**OATH OF OFFICE TREASURER, DEPUTY CLERK/DEPUTY REGISTRAR**

Mayor Falci announced the position of Kris Libordi taking the part time position of Treasurer and Deputy Clerk/Deputy Registrar starting June 1, 2019. Mayor Falci had her take the Oath of office as Treasurer, Deputy Clerk/Deputy Registrar.

**DRUG AND ALCOHOL TESTING CONTRACT**

The Mayor explained the Village has to participate in the Drug and alcohol testing. A contract comes to the Village every 5 years with this being the end of our first 5 years. The Mayor will have to get the agreement notarized and get the documents refilled for the next 5 years.. This only affects 2 employees in the Village, Rich Scavo and Charlie Harrison. The Mayor explained that there is no prior notice to the employee being tested and they actually called at 6:00am to Rich Scavo and he had to be at the facility to be tested within the hour.

Motion to accept continuing with this program was made by Trustee Ingalls and Second by Trustee Flint. Trustee Libordi asked to have it on record that he doesn’t agree with the “Shy Bladder” statement and the Village have to pay for the extra 15 minutes because someone isn’t able to urinate immediately. He doesn’t agree that the extra charge should be on the municipality.

Aye                      Nay

Mayor Falci	X
Trustee Libordi	Abstain
Trustee Ingalls	X
Trustee Greenthal	X
Trustee Flint	X

All in favor and was carried.

## **OLD BUSINESS**

### **TAP UPDATE**

Trustee Ingalls reviewed the information that was provided to the trustees with the financial information with the final line being the amount of money that would need to be bonded through the bank of choice. Trustee Libordi asked if the final amount was what the bond would be for. Trustee Ingalls said the bond was expected to be for \$550,000. He also discussed that the design phase was under what the expected amount was but informed the board that the construction was most likely going to be over and this would even the expected amounts to come out to what has been discussed in the past. Trustee Ingalls continued to update on the progress on Seneca Road and noted some cutting was starting to take place. He also noted some of the removing of materials, etc. would start happening as well so things will start being a dirty and messy summer. He commended the community as of current for their patience and understanding and stated he hoped they would continue to understand that things are going to be messy and dirty but that it would be worth it in the end for the end result of nice sidewalks, curbs and the new bike path.

Trustee Ingalls also commended the Project Supervisor and the Manager on their constant supervision of the project and communication with the Village on any questions or concerns.

Mr. Poplawski said that he learned from Blades today that it would be approximately 7 days that they would lose access to their driveway after the side walk has been poured and drying time. Trustee Ingalls reminded him that this is to make sure that the concrete is dry and ready to be used so it is not destroyed right after being set. Mr. Poplawski wondered if someone was going to let the residents know this information so they are not shocked when their driveway is shut down to them for that period of time. Trustee Ingalls again reminded him that this was discussed in the open meeting with the residents that came for the Informational session. He thought that Blades had intentions of contacting the residents.

Mayor Falci reminded the residents that there are copies of the schedule in the Clerk's office for anyone to pick up at their leisure so they would know approximately when the construction would be at their residence. Trustee Libordi also remembered this discussion at the informational meeting.

Trustee Flint asked if it was possible to start a separate page on the Website for the project. Clerk Scott said she would look in to it and get it started as time permitted.

Question from a non resident about why the Seneca Road project was being done in the time line it was and wondered if things should have been done in a different order. The board discussed this with this attendee and moved forward.

## **COMMERCIAL TRUCK SIGNS**

Mayor Falci reminded the board that Trustee Libordi has been working on this and provided the trustees with information that 6 signs at the most are needed and this will be 5 if Alstom supplies their own sign. Trustee Libordi said he went with the USDOT weight of 10,001 pounds. These signs will be placed in areas that will not be able to be missed. This is a common statement from drivers that they didn't see the sign. This is not going to be allowed and these signs will be strictly enforced in the future as soon as the signs are put up. More questions came up as what will be allowed as far as ladders, servicing residents as a contractor. There will be no more "drive through traffic" with the weight over the limit that will be posted on these signs.

## **CHURCH PROPERTY**

Mayor Falci confirmed with the Clerk and Treasurer that the Planning board met to discuss the acceptance of the subdivision of the property. Stephen Hubertus will be doing the subdivision drawings and provide them to the Village. Trustee Flint reminded the committee that the notice of the subdivision was going to be put on the website. Mayor Falci asked Clerk Scott if it was on the website yet. She responded it was not and she is waiting for the verbiage that was going to be provided to her by one of the Trustees so it would be presented correctly on there. Trustee Greenthal said he would work on the verbiage over the evening and get it to Vanessa to put on the website.

The Mayor reported he was informed that the information about the church property has been previously discussed at other monthly meetings and was posted on Face Book as was reported to the Mayor. There continues to be the initial three people interested in purchasing the property and the Mayor has been in contact with them and they continue to wait to hear of the board's decision on how they will be doing the sale of the properties. The amount that is being asked for each parcel seems to be an agreeable amount which will include regaining the original purchase price that the Village paid for the combined parcel but a cost to put water to each parcel will be an additional cost for each possible buyer. None of the mentioned buyers are looking to do any construction on the said properties of interest until the spring/summer of 2020.

The Mayor asked if the 3 people that are most interested in the property, if he can go ahead and tell them that they would be allowed to have the "First Right of Refusal". The board agreed to present that to the 3 interested buyers but still put the information on the website. They will have this option by the July 10, 2019 monthly meeting.

Once the land is subdivided, there will be new tax map numbers for each parcel and those will be listed on the website as well. As of right now, the amount of \$40,000.00 will be a starting point for the cost per parcel.

Mr. Poplawski questioned the way the board was going about selling these parcels. The board reminded him that it has been discussed in past meetings; it has been in the paper and on social media. Therefore, making the sale of these parcels once they are split has been public knowledge. The Mayor reminded the resident that there are 2 main stipulations that the Board must follow and at this point, they have followed both stipulations. Trustee Greenthal reiterated that this was his concern at first as well but, he mentioned again that the information is out there and has been out there.

Clerk Scott confirmed that Trustee Greenthal would get the verbiage to her the next day either via email or bringing over to her Tuesday, June 11<sup>th</sup> so she can get the information on the website ASAP.

## **EMPLOYEE BENEFITS PACKAGE/POLITY UPDATES**

Trustee Greenthal said he doesn't have anything for the employee handbook and will be more detailed that will take longer than he had before this meeting.

He had some information about the bereavement and thought it would be something that everyone would be able to agree on. He reviewed his recommendations with the board.

IE: Immediate family (living in your home) 5 days –  
Parents, grandparents, brothers, sisters, etc. – 3 days,  
Niece, nephew, In-Laws, Aunts/uncles etc. and then 1 day

If more time is needed, it would be at the discretion of the board to approve more days if the employee needs more time.

Trustee Greenthal will also continue to work on the Employee Handbook that will continue to take a lot more time to complete to present to the board for approval.

## **OTHER CONCERNS**

Resident Jack Burdick at 384 Cleveland Ave reported that he has done a great deal of clean up and complained that Lowe's is not keeping their part cleaned up. He asked the Mayor and any of the trustees to take a look at what he is talking about and if Lowe's does not do what is expected, they should be fined. More discussion took place about this concern. Mr. Scavo mentioned that this really is not the Village issue. He reminded them that the pins that are in the ground are actually belonging to the City. More discussion about this also took place and actually the Sewer line and the back of the property line to Werner's, Wintermute and Bethesda Drive are actually in the City. 10:00am meeting was set for the Mayor to go walk the property with Mr. Burdick and get a better idea of what he is discussing with the board.

This seems to be a concern that is currently coming to the board and will be looked in to and taken care of.

### **RETAINING WALL CONCERN**

Jim Bebout mentioned that the retaining wall that is in the Village on Elmwood and 3<sup>rd</sup> Street is on the verge of collapsing and a concern for safety of walkers, etc. He reminded the Mayor that he took him up to look at the wall and was told at that time that Mr. Scavo would be up to take a look at the wall of concern. Superintendent Scavo went to look at the wall and told him that they are too busy to take care of the wall and not able to make changes to it to make it safer at this time. He is concerned that someone will get hurt if one of the blocks that weigh approximately 70lbs each.

Superintendent Scavo told the board that the retaining wall was never done right to begin with when it was first put up. He reminded the board that part of that wall had already been repaired and the lack of drainage is part of the problem. The part that they fixed is holding up but, this new section will need to be replaced in the near future.

### **SHARED SERVICES**

Superintendent told the board he wanted to inform them that there are many shared services happening between the local BOCES and North Hornell. Graded Chambers street with the Track Grade Steer from BOCES to save the Village money and now BOCES is using the Village's roller for a week. The City also were able to lend and share part of their services and equipment. Between the Town, City, BOCES, Etc., we are all borrowing and sharing services.

### **COMPLAINT OF CODE ENFORCEMENT OFFICER**

Joe Dick told the committee he has many concerns of the lack of activity from the Code Enforcement Officer Bill Rusby and concerns with the charges at the village that he had to pay for his building permit. He also mentioned that there has been no visit from Mr. Rusby to inspect the cement pad he had put in. Joe continued to voice his opinion that Mr. Rusby is not doing his job.

Trustee Libordi made it known that there have not been any complaints about the CEO in the past and that if Mr. Dick had any further concerns, he could talk to the CEO at the board meeting that is scheduled for July 8, 2019.

### **COMPLAINT OF TREATMENT TOWARD THE FIRE DEPARTMENT**

He said in the over 30+ years he has been with the Fire Department, and the past 4 years has been the worst he has seen this board treat them.

### **REPLACEMENT OF OIC**

The Board took more time to discuss ideas about replacing the OIC for the Village. Mayor Falci said it's possible he could talk to Officer Amidon but, was not sure he could take more hours because of the other towns he covers as well. Mayor Falci told the committee that he has a meeting to talk to the City and will have more information about that in the near future.

### **LEASE AGREEMENT WITH BLADES**



Superintendent Scavo informed the board that he signed a Lease Agreement with Blades for storage and Blades has promised that at the end of the project, if there are any damages, they will fix them upon completion.

**PAY BILLS**

**General Fund: 1-38 total claims were: \$35,453.64**

**Sewer Fund: 1-3 Total Claims were: \$924.09**

**Seneca Road Project Fund: 6 Total Claim was: \$9,786.07**

Trustee Libordi agreed to pay bills with the exception of bills # 2, 24, 25, 26, and 27 respectively.

All other Board Members and the Mayor approved paying bills with no listed exceptions.

The meeting was adjourned at 9:21pm

Respectfully submitted,

Vanessa Scott  
Village Clerk