

REGULAR MEETING AGENDA
DOLGEVILLE VILLAGE BOARD OF TRUSTEES
AUGUST 15, 2011

1. Call to order – 6:00 p.m. Pledge of Allegiance
2. Approval Meeting minutes of July 18th & August 3rd
3. Budgetary Transfers – Resolution #
4. Abstract of Audited Vouchers – Resolution #
5. Alexandra Rhodes – C.T. Male
Dave Roecker – C.T. Male
Don Denaople – HOME – Drawdown Resolution #
Bill Van Gorder – Mang Agency
6. Department Heads
 1. Jan Murphy – Planning Board
 - a. Monthly Report
 2. Shannon Davies – Police/Dog Control
 - a. Monthly Reports
 3. Edward Scharpou - WWTP
 - a. Monthly Report
 - b. SPEDES Report
 - c. Discharge Report
 4. Neal Winkler - Water
 - a. Monthly Report
 5. Barry Vickers – Code Enforcement
 - a. Monthly Report
 6. Randy Tennant – Fire Department
 - a. Monthly Report
 7. John Houle – D.P.W.
 - a. Monthly Report
 - b. PESH Inspection – Compliance Update
 8. Michele Weakley
 - a. Expenditures, Encumbrances, Appropriations
7. Public Comment
8. Old Business
 1. Ed Kopp water/sewer application
 2. Herkimer HealthNet Grant – deadline November 11, 2011
9. New Business
 1. Water/Sewer – 73 South Helmer Avenue
 2. Tax Refund – Fulton County
 3. Check Reconciliations – Resolution #
 4. Certification of Payroll– 7/9/11-7/22/11 – Resolution #
 5. Certification of Payroll– 7/23/11-8/9/11 – Resolution #
 6. 107 South Main Street – Amendment # 2 – Contract Extension 2/27/2013 – 8/8/11 Resolution #
 7. Annual Financial Report – Completed 7/31/11

10. Communications
 1. Workers' Comp. Update – Case # G0375519 & # 60605909
 2. BOCES Drug & Alcohol Six-Month Report
 3. Public Meeting re: Former Silvernail Property – August 24th @ 6:00 p.m.

11. Attorney
 1. 156 South Main Street
 2. RESTORE Update – 8/4/11
 3. Lampman Land Purchase Update – 7/23/11
 4. 5 Howard Street Ext. Update – 7/23/11
 5. Licari – Lamberson Street – Update – 7/18/11
 6. 184 Heller Road – Water Update – 8/1/11

12. Future Meeting

13. Adjournment

REGULAR MEETING
DOLGEVILLE VILLAGE BOARD OF TRUSTEES
AUGUST 15, 2011

PRESENT:

MAYOR: Bruce T. Lyon
TRUSTEES: Barbara Boucher
Larry J. Brandow
Donna L. Loucks
Robert Maxwell

ATTORNEY: Norman Mastromoro

RECORDING SECRETARY:

Tammy L. Chmielewski

ATTENDED: Bill Van Gorder, Vicki Meyers - Mang Agency, Karen from NYMIR, John Wisniewski, Don Denapole, Dave Roecker, Dave Jaquay, Jan Murphy, Karen Goyette and Rob Juteau.

Mayor Bruce T. Lyon at Village Hall called this Regular Meeting of the Dolgeville Village Board of Trustees to order at 6:05 p.m. The Pledge of Allegiance was said.

**Approval of
Meeting Minutes**

By Trustee Loucks

Motion to approve and place on file the regular meeting minutes of July 18th, special meeting minutes of July 18th and August 3, 2011. Sec. Trustee Maxwell. Ayes all.

**Budgetary Transfers
Resolution # 80-2011**

The following resolution was offered by Trustee Loucks and sec. by Trustee Boucher. Ayes all.

FROM: Decrease A1990.400 Contingent \$ 870.75

TO: Decrease A250 Taxes

AYES: Trustees Boucher, Brandow, Loucks, Maxwell

NAYS: None

ADOPTED – August 15, 2011

**Abstract of
Audited Vouchers
Resolution # 81-2011**

The following resolution was offered by Trustee Boucher and sec. by Trustee Loucks. Ayes all.

RESOLVED, that the Clerk be and is hereby authorized to sign the Abstract of Audited Vouchers from the following funds for the amount specified:

GENERAL FUND	\$ 434,123.85
SEWER FUND	\$ 14,102.43
WATER FUND	\$ 5,173.44
TRUST & AGENCY	\$ 880.29

AYES: Trustees Boucher, Brandow, Loucks, Maxwell

NAYS: None

ADOPTED – August 15, 2011

***Dave Roecker – C.T. Male
Brownfields Update***

Dave Roecker – C.T. Male came before the Board on the following:

107 South Main Street

Investigation complete for 107 South Main Street. D.E.C. will review and submit a record of decision. There is a small amount of contamination on site and on the adjoining property - Ronald Jones. Mr. Jones did not allow cleanup on his property and there will be no further action at this time. The property could receive a restricted use action from D.E.C. The Village is looking into their local laws regarding use of anything other than the regulated village water system in order to eliminate any restrictions.

102 South Main Street

Site has been completed for awhile. A record of decision with no restrictions is pending public meeting results. The decision will allow the village to market the property with a release of village liability. A reasonable time frame for decision after public meeting is within 30-60 days.

Don Denapole – HOME

Don Denapole HOME Administrator came before the Board on the following:

Submitted Construction Budget August 15, 2011

***HOME Drawdown # 9
Resolution # 82-2011***

By Trustee Loucks

Motion authorizing payment of 2009 HOME drawdown # 9 in the amount of \$ 19,425.00 as approved by Community Services. Sec. Trustee Maxwell. Ayes all.

AYES: Trustees Boucher, Brandow, Loucks, Maxwell

NAYS: None

ADOPTED – August 15, 2011

***John Wisniewski
Global Underwriters
Insurance Quote***

John Wisniewski of Global Underwriters came before the Board on the following:

John tried to submit a proposal last year but due to notification to NYMIR within 30 days to cancel requested a chance to quote for this year.

John suggested the village is under insured and his proposal included increases in coverage at a lower rate. John submitted a coverage comparison sheet to Board members for review. The premium quoted for 9/1/2011-9/1/2012 is \$ 38, 937 + \$ 226.53. The Village is waiting for the NYMIR quote and will get back to John.

***Bill VanGorder
NYMIR – Mang Agency
Insurance Quote***

Bill VanGorder, Vicki Meyers and Karen from NYMIR came before the Board on the following:

Bill was told the village received a quote from John and he moved forward with his presentation. The village has insured with NYMIR for approximately 19 years. Premiums have remained steady due to municipal ownership of NYMIR. The village will receive another refund check from NYMIR same as the last 3 years. The premium quoted for 9/1/2011-9/1/2012 is \$ 50,805.82.

The village will make a decision on coverage before the August 31, 2011 deadline.

Insurance Renewal

By Trustee Boucher

Motion to renew insurance policy with NYMIR for the period of 9/1/2011-9/1/2012 in the amount of \$ 50,805.82. Sec Trustee Loucks. Ayes all.

AYES: Trustees Boucher, Brandow, Loucks, Maxwell

NAYS: None

ADOPTED – August 15, 2011

Department Heads

Planning Board

Planning Board member Jan Murphy came before the Board on the following:

Historic Overlay District

The Planning Board is finding it difficult to write a historic overlay district that's not too strict but sets some specific guidelines. Kristin Campbell – Herkimer County Planning suggested we look at Main Street and try to mimic its character. Planning checked the Dudley Breed proposal and it showed a pedestrian friendly downtown with awnings, etc. (Jan submitted a list). The submittal also included the intent of the district along with concerns about the facades. The past/current project reflects some of these suggestions.

There could be an amendment to site plan review. District boundaries would be determined and a change to zoning interpretation would be needed. A letter would be sent to current owners in the proposed district.

Planning is requesting this plan be approved and that the Village Attorney find a way to implement it in a timely manner.

***Planning Board
Meeting Minutes***

n/a

Police Department

Provisional Chief of Police Shannon Davies came before the Board on the following:

Equipment for Sale

Shannon presented a list of items to be offered for sale on e-bay.

By Trustee Maxwell

Motion authorizing the sale of equipment list presented by C.O.P. Shannon Davies to be sold on e-bay. The items are no longer needed for public use. Sec. Trustee Loucks. Ayes all

Police Monthly Report

By Trustee Maxwell

Motion to approve and place on file the July 2011 Police report as submitted. Sec. Trustee Boucher. Ayes all.

WWTP

WWTP Operator Edward Scharpou was unavailable for the meeting but submitted the following:

WWTP Monthly Report

By Trustee Maxwell

Motion to approve and place on file the August 15, 2011 WWTP report as submitted. Sec. Trustee Boucher. Ayes all.

Water Plant

Water Plant Operator Neal Winkler was unavailable for the meeting but submitted the following:

Water Monthly Report

By Trustee Maxwell

Motion to approve and place on file the July 2011 water report as submitted. Sec. Trustee Boucher. Ayes all.

Code Enforcement

Code Enforcement Officer Barry Vickers came before the Board on the following:

Dolgeville Mill

Dolgeville Mill was given an order to have their sign down within 72 hours and they will have it down by the end of the week.

<i>76 South Main Street</i>	Request for refrigerator to be removed.
<i>156 South Main Street</i>	Barry and Village Attorney are still working on ownership of building. Building was condemned by Codes.
<i>Hanthorn Building South Main Street</i>	Barry and Ed will do an inspection regarding water/sewer hookup at the Hanthorn building.
<i>Code Enforcement Monthly Report</i>	n/a
<u>Fire Department</u>	Fire Chief Randy Tennant came before the Board on the following:
<i>Call Boxes</i>	The fire department took down the remaining fire pull boxes (12). Clerk to get inventory and request Brandon Edick put them on e-bay for sale.
<i>Mileage - Training</i>	Firemen should try and ride together when possible for training to minimize mileage expenses.
<i>Grant Writer</i>	The fire department hired a grant writer for new air packs. The grant will include 14 packs @ a cost of \$ 64,000. Department is looking to upgrade the cascade system @ a cost of \$ 47,000. The total grant request is approximately \$ 100,000. The grant writer cost is \$ 2,400.00.
	By Trustee Loucks Motion approving the Dolgeville Fire Department pursues a grant for new air packs, face pieces and upgrading the cascade system. The department will pay grant writer fees as proposed. Sec. Trustee Maxwell. Ayes all.
	AYES: Trustees Boucher, Brandow, Loucks, Maxwell NAYS: None ADOPTED – August 15, 2011
<i>Fire Department Monthly Report</i>	By Trustee Boucher Motion to approve and place on file the July 2011 Fire Department report as submitted. Sec. Trustee Maxwell. Ayes all.
<u>D.P.W.</u>	D.P.W. Superintendent John Houle came before the Board on the following:

<i>PESH Inspection</i>	PESH Right to know Compliance Checklist completed. 7/21/11. Place on file.
<i>Confined Space Training</i>	Confined space training scheduled with PESH instructor on September 27 th . The training will take 2 days to complete.
<i>Village Hall Repairs</i>	Porch roof almost done and one column rebuilt by D.P.W. employees Dave and Don. Employees will continue to work on village hall including repainting front porch pillars, doors, etc. Youth Center stair repairs still getting quotes. Village may hold off repairs due to recent high quoting.
<i>Sewer Repairs</i>	Sewer repair completed – Richard Jones and Paul Puznowski's.
<i>Playground Material</i>	Village attorney contacting Ohio State Attorney General regarding the company that is suppose to supply playground material to the village.
<i>Probation – Don Dodson</i>	New employee Don Dodson will complete his probationary period effective September 3 rd . Superintendent Houle is requesting a full time permanent appointment. John will submit an employee job evaluation report. By Trustee Maxwell Motion to hire Donald Dodson to full time permanent status per recommendation of D.P.W. Superintendent John Houle. Sec. Trustee Loucks. Ayes all.
<i>Vacation/In Charge</i>	John Houle requested vacation from August 29 th – September 5 th . Brad Ploss will be in charge.
<i>County Summer Employees</i>	Summer program employees Dineen, Drumm and Sawyer did a nice job this year.
<i>Town of Oppenheim Thank you</i>	John would like to thank the Town of Oppenheim and their vegetation trimming equipment used on the Railroad grant project.
<i>Main Street Project</i>	Helterline Park sidewalk replacement – Elm street side on hold due to issue of the old Daniel Green tunnel area that contains water and phone lines. Problem will be resolved this week.
<i>Light Replacement Insurance Claim</i>	Light will be repaired on Wednesday and the outstanding balance will be submitted to insurance company.

Fink Street

There is still an issue of water on sidewalk near Betty Sykes and Bill Fakes' properties on the corner of South Helmer Avenue and Fink Street. John will look at issue and get back to residents.

D.P.W. Monthly Report

By Trustee Loucks

Motion to approve and place on file the 7/18/11 – 8/11/11 D.P.W. report as submitted. Sec. Trustee Maxwell. Ayes all.

Treasurer

Treasurer Michele Weakley was unavailable for the meeting but submitted the following:

***Expenditures,
Encumbrances, and
Appropriations***

Report for period ending August 15, 2011.

Balance Sheet

n/a

Public Comment

Karen Goyette

Has the village made a decision on hiring a grant writer – not yet.

Old Business

Water/Sewer Applications

By Trustee Maxwell

Motion to approve a new water/sewer application connection to Edwin Kopp located in the field across from 151 South Main Street on Sullivan Street. Sec. Trustee Loucks. Ayes all.

***Herkimer County
HealthNet Grant***

Deadline for HealthNet grant is November 11, 2011.

New Business

Water Connection Increase 73 North Helmer Avenue increased from 1 unit to 2.

***Tax Refund – Sally Byerly
Resolution # 83-2011***

By Trustee Maxwell

Motion authorizing tax refund to Sally Byerly in the amount of \$ 292.31 due to assessing error. Sec. Trustee Boucher. Ayes all.

AYES: Trustees Boucher, Brandow, Loucks, Maxwell

NAYS: None

ADOPTED – August 15, 2011

***Check Reconciliation
Resolution # 84 -2011***

By Trustee Maxwell

Motion to place on file the check reconciliations as presented. Sec. Trustee Loucks Ayes all.

Unemployment Acct.	*953	7/1/11-7/31/11
Flood Reimbursement Fund	*597	7/1/11-7/31/11
Sewer Savings	*792	7/1/11-7/31/11
State Small Program	*222	7/1/11-7/31/11
Helterline Park	*784	7/1/11-7/31/11
Sewer Waste Hauling	*405	7/1/11-7/31/11
General Savings	*482	7/1/11-7/31/11
Water Fund	*490	7/1/11-7/31/11
Spohn's Disposal	*187	7/1/11-7/31/11
Trust & Agency	*807	7/1/11-7/31/11
D.P.W. Motorized Equip.	*788	7/1/11-7/31/11
General Fund	*315	7/1/11-7/31/11
Water & Sewer	*320	7/1/11-7/31/11
Housing Rehabilitation	*299	7/1/11-7/31/11
E.D.R.L.F.	*448	7/1/11-7/31/11

AYES: Trustees Boucher, Brandow, Loucks, Maxwell

NAYS: None

ADOPTED – August 15, 2011

***Payroll Certification
Resolution #85 -2011***

The following resolution was offered by Trustee Boucher and sec. by Trustee Maxwell. Ayes all.

WHEREAS, Michele Weakley does hereby submit for certification that the following payroll periods of 7/9/11-7/22/11 in the amount of \$ 28,983.26 be approved for payment from the appropriation authorized by the Village of Dolgeville Board of Trustees.

AYES: Trustees Boucher, Brandow, Loucks, Maxwell

NAYS: None

ADOPTED – August 15, 2011

***Payroll Certification
Resolution # 86-2011***

The following resolution was offered by Trustee Boucher and sec. by Trustee Maxwell. Ayes all.

WHEREAS, Michele Weakley does hereby submit for certification that the following payroll periods of 7/23/11-8/9/11 in the amount of \$ 24,348.70 be approved

for payment from the appropriation authorized by the Village of Dolgeville Board of Trustees.

AYES: Trustees Boucher, Brandow, Loucks, Maxwell

NAYS: None

ADOPTED – August 15, 2011

***NYSDEC SAC
Amendment No. 2
No-Cost Extension
To February 27, 2013
Resolution # 87-2011***

The following resolution was offered by Trustee Loucks and sec. by Trustee Boucher. Ayes all.

This CONTRACT, (Amendment No. 2) is made between the New York State Department of Environmental Conservation (Department), acting for and on behalf of the State, and the Village of Dolgeville, with offices located at 41 North Main Street, Dolgeville, NY 13329.

WHEREAS, the Department and the Municipality entered into a contract on February 27, 2009, (Original Contract), which was duly assigned Contract No: C304068, by the Office of the State Comptroller (State Comptroller); and

WHEREAS, the Original Contract was modified by the parties by Amendment No. 1, dated October 30, 2009; and

WHEREAS, there are circumstances necessitating a modification of the Original Contract and the parties desire to amend said Original Contract.

NOW THEREFORE, in consideration of the mutual covenants, promises, representations, and conditions made herein, the parties agree as follows;

(1). Item “U” in Section XVII of the Original Contract is hereby revised and updated as follows:

U. The term of this Contract shall start September 26, 2007. This Contract shall end on February 27, 2013. The Municipality agrees to proceed expeditiously with and to complete the Project in accordance with Work Plans approved by the Department, and any revisions thereto, and to carry out its other obligations under this Contract.

(2). Appendix A, dated June 2006, is hereby replaced by Appendix A, dated June 2011, attached hereto.

- (3). Payments for expenditures incurred under this contract will be rendered electronically to the Recipient unless payment by paper check is expressly authorized by the Commissioner of the Department (Commissioner), in the Commissioner's sole discretion, due to extenuating circumstances. Such electronic payment shall be made in accordance with ordinary State procedures and practices. The Recipient shall comply with the Comptroller's procedures to authorize electronic payments. Authorization forms are available at the Comptroller's procedures to authorize electronic payments. Authorization forms are available at the Comptroller's website at www.osc.state.ny.us/epay/index.htm, by e-mail at epunit@osc.state.ny.us or by telephone at (518) 474-4032. The Recipient acknowledges that it will not receive payment under this Contract if it does not comply with the Comptroller's electronic payment procedures, except where the Commissioner has expressly authorized payment by paper check as set forth above.
- (4). This Contract and Amendment No: 2 will be effective upon approval and filing by the State Comptroller in accordance with Section 112 of the State Finance Law.
- (5). Except as specifically modified herein, all terms and conditions of the Original Contract remain in full force and effect.

AYES: Trustees Boucher, Brandow, Loucks, Maxwell

NAYS: None

ADOPTED – August 15, 2011

***Annual Financial Report
Resolution # 88-2011***

By Trustee Loucks

Motion to place on file the Annual Financial Report for the fiscal year June 1, 2010 – May 31, 2011 as submitted by Treasurer Michele Weakley. Board will audit per State Comptroller report. Sec. Trustee Boucher. Ayes all.

AYES: Trustees Boucher, Brandow, Loucks, Maxwell

NAYS: None

ADOPTED – August 15, 2011

***Water Connection
Replacement Request***

By Trustee Loucks

Motion to approve water connection replacement to 38 North Main Street. Owner will pay for work including equipment charges and labor. Sec. Trustee Boucher. Ayes all.

Communication

***Workers' Comp. Update
Case # 60605909 &
Case # G0375519***

Place on file.

***BOCES Drug &
Alcohol Six-Month
Report***

Place on file.

***Public Meeting
102 South Main Street***

D.E.C. Public Meeting August 24, 2011 @ 6:00 p.m. – Village Hall.

Attorney

Village Attorney Norman Mastromoro came before the Board on the following:

156 South Main Street

Village Attorney writing a letter to Herkimer County Attorney re: proof of ownership for 156 South Main Street.

***RESTORE Update
48 North Main Street***

Email received from Michael Lyon on construction update.

Village Attorney letter re: RESTORE NY Funding letter dated 8/4/11.

***Lampman Land
Purchase Update***

Village Attorney letter dated 7/23/11 – move forward on the purchase. Village will receive a letter by Friday in regards to the land survey request by Bank of America.

5 Howard St. Ext.

Village Attorney letter dated 7/23/11 re: removal of trees by neighbor. Place on file.

***Licari Court Order
Re: Assessment
Lamberson Street***

Place court order decision on file.

***184 Heller Road
Water – Haberek***

Village Attorney letter dated August 1, 2011 re: delinquent water bill. Clerk settled claim by Mr. Haberek re: free water. The “free water” rights expired October 1, 1965 – see Real Property Fixed Assets Card # V09-91-002-8340 and ID # 19-09-8340-91-002 Riparian Release – George & Etoila Marsh, Bk 198 Pg. 152.

UPSEU

Village is still waiting for UPSEU to get back since last meeting re: part time employees.

Future Meetings

Regular meeting September 19th at 6:00 p.m. – Village Hall.

Adjournment

By Trustee Boucher

Motion to adjourn regular meeting at 10:30 p.m.
Sec. Trustee Loucks. Ayes all.

_____ Mayor

_____ Village Clerk