

VILLAGE OF SCHUYLERVILLE

BOARD OF TRUSTEES

Meeting Minutes – March 11, 2015

The Village of Schuylerville Board of Trustees met for their regular monthly meeting on Wednesday, March 11, 2015 at the Village Municipal Center. The meeting was called to order at 7:00 pm by Mayor John Sherman, followed by the Pledge of Allegiance. Roll Call: Present were Mayor John Sherman; Trustees Whitney Colvin, Jim Miers, Robert Petralia, Mary Sherman; Village Attorney David Klingebiel; Clerk/Treasurer Anna Welfley and several residents.

Trustee Petralia made a motion to approve the minutes of the February 11, seconded by Trustee Miers. All ayes. Motion passed.

Mayor Sherman read the upcoming meeting announcements and events.

Reports

Treasurer Anna Welfley reported on the bank balances as of February 28 and gave an update on sewer collection.

Code Enforcement Officer Gil Albert reported on his activities from the end of January through February. There were issues with a landlord regarding issues with their building on Broad Street that were investigated and addressed. A permit was issued and inspections done on a business addition/renovation on Spring Street. There were inquiries into zoning regulations that were answered. Mr. Albert also provided a year-end report summarizing his activities for 2014.

Department of Public Works Supervisor Rob Decker reported on repair work needed for the garbage truck and the status of the salt for the roads. We are all set with salt right now, he stated.

Fire Department Chief Brian Myers was unable to attend the meeting and did not provide a report.

Planning did not have a report

Improvements Project/Sewer Patti Flores, Senior Project Engineer with AECOM Engineering updated the Board on the status of the project and reported on the WWTP representing Chief Operator Harry Bogardus who could not attend the meeting. All construction is completed at the WWTP. All efforts are working toward the closing with EFC. There have been weekly meetings for the last couple of months and Ms. Flores has been working on the check list generated from EFC. She is working on the figures included a final tally on the project costs and

changes as a result of conversion from United Water to the Village of Schuylerville. Other figures include septage revenue that was determined last year and the revenue due from Victory.

EFC original closing date was March 8. They are pushing toward a closing date projected for May. We are currently in a no interest position and if the forgiveness is given, it will lower the annual debt payment by \$75,000. AECOM is finalizing the closure report for the DEC and will be given to Attorney Ed Bartholomew for review. Chief Operator Bogardus is requesting approximately five hours of work on the control system requiring a control engineer to do the corrections necessary for collection of data for DEC reports. There has been several haulers expressing interest in our septage receiving and the feedback is that the rate is competitive. On the subject of the proposed Victory Mills mill renovation, the DEC has previously reported on that potential flow coming into Schuylerville's WWTP. It was determined that the pipeline from the mill is substantially too small and would have to be replaced. This issue was thoroughly investigated and well document. This did not qualify and was not covered under the order on consent. The costs were estimated to be \$200,000.

Ms. Flores clarified that the TSS/BOD's are not an issue for our plant. The plant will more than handle it.

The DEC reissued the SPEDES permit regarding the order on consent. The DEC has total faith in Operator Bogardus and the Village of Schuylerville. Mr. Bogardus previously suggested that the village hold on adding new services to the WWTP until he gets a handle on what the septage receiving will be doing. When the septage is fully operational, it will help pay the EFC long term debt.

Ms. Flores stated that the order on consent was never intended to increase that capacity of the plant, but to bring it into compliance.

Water Commissioner Dan Baker reported that there were two meetings held last month...the regular meeting on February 23 and a water board budget meeting on February 25. The board will be reviewing and updating the personnel policy at a future meeting. There piping supplying water to outside water users running underneath the Rt. 29 Bridge does have significant cracks and the repair costs are being investigated. Commissioner Sullivan has asked Attorney Phil Dixon to review the obligation of the water board regarding repair work needed on the water line under the Rt. 4 Bridge. There has been no response yet from Attorney Dixon. The Bonadio Group will be completing the 2014 AUD at the cost of \$2,500. Commissioner Baker was approved for reimbursement for nine months of prior time served. The Hatch Chemical contract was renewed.

The budget meeting resulted in a decrease in expenses from the prior year's budget and after reviewing revenue, it was agreed to raise the quarterly rates to \$125.00 per unit and outside users, \$187.50 per quarter. Commissioner Baker requested that a full budget to actual report be reviewed at every water board meeting.

Trustee Miers requested that there be research done to estimate what a gallon of water actually costs to process. Mr. Baker said he will speak the Water Operator Dennison.

Public Comment

Wendy Lukas, Green Street, stated that she would like to see water board minutes. She referred to the Victory mill project and stated that the developer would be responsible for all infrastructure costs. She also would like to see speed signs on the village streets.

Andrew Jennings, Morgan's Run, asked if the litigation with the Village of Victory has the potential to affect our long term financing with EFC. The Mayor stated that a lot does depend on what happens with Victory. Attorney Klingebiel said yes, it could potentially impact the financing but we need more information.

Mr. Jennings asked how the shortfall of revenue due to non payment from Victory and estimation of septage that was not operational last year will impact the sewer budget. The Mayor stated that we are now working on the budget.

He thanks the DPW for the great job they did with the snow this year.

He asked if the I & I coming from Victory have put them over their allowed 80,000 gallons.

Attorney Klingebiel responded yes, several days in December is most recent. There needs to be a fee determined to charge Victory in these cases.

Mr. Jennings also agrees that speed signs need to be installed on village streets. People fly down the street.

Dan Baker, Green Street, asked about evidence or an audit trail to verify Charlie Sherman's meeting attendance reimbursement for his time as commissioner on the water board. He also asked regarding Victory's non-payment of sewer charges, if the Victory residents can be relieved. Attorney Klingebiel responded that it is not possible to re-levy other municipality's taxes. All you can do is threaten to shut them off, but DEC would never allow it. Mr. Baker suggested that the state government be contacted to do organizational changes to the water and sewer contracts.

Patti Flores, AECOM Engineering, commented on that fact that adding Victory's revenue into our budget and not receiving it has hurt the village with the EFC financing. It is not real money and the board should consider that. Also, Victory's contribution to the I & I going into the sewer plant is significant. She made a suggestion that any future ties-ins to the WWTP be looked at.

Old Business

Discussion on mobile home placement at 7 Church Street began with the co-owner of the property, Ron Anderson speaking before the board. Also present was their Attorney Michele Anderson and their contractor. Attorney Klingebiel stated that their only purpose tonight was to present the plan they have for the property and the two attorneys will work on the rest. Code Enforcement Officer Gil Albert did admit that this permit application should have been brought before the board. Trustee Miers stated that the owners did not follow procedure and he was unhappy with the process. He also stated that they had no regard to lot size and this could drive down the property values in the area. Trustee Colvin stated that a slab should have been put down for the mobile home to sit on. The owners feel that the property value will be enhanced with the improvements they are planning. They provided a rendering for the board showing the improvements and changes they plan to make.

Trustee Miers suggest a public hearing be held or at least the opportunity for the adjoining residents to voice their feelings. Attorney Klingebiel stated that this was a dangerous precedent to hold public hearings on home construction in the village and that this be handled in litigation. It will be discussed in executive session.

The Mayor thanked them for coming and said the board would be moving this along.

New Business

Trustee Colvin made a motion to accept the Fire Protection Contract from the Town of Greenwich for \$16,414.00 covering January 1, 2015 to December 31, 2015, seconded by Trustee Petralia. All ayes. Motion passed.

Trustee Colvin made a motion directing the Clerk to place competitive bidding public advertising in the village official newspaper for a new pickup truck for the WWTP seconded by Trustee Sherman. All ayes. Motion passed.

Trustee Colvin made a motion to approve the NABF/Schuylerville Black Horses, age 13 and under baseball team to practice and play on the Fort Hardy Prep Field various times April through end of July from 4:00 pm to 8:00 pm , seconded by Trustee Sherman. All ayes. Motion passed.

Trustee Petralia made a motion to approve the Schuylerville Youth Program to hold their annual coin drop on June 6 from 9:00 am to 3:00 pm, seconded by Trustee Sherman. Trustee Colvin, Sherman, Petralia and Mayor Sherman, aye – Trustee Miers nay as he feels there are too many coin drops. Motion passed.

Trustee Petralia made a motion to approve the Turning Point Parade Committee, sponsored by the Schuylerville Area Chamber of Commerce, to hold their annual fund raising coin drop on July 11 from 9:00 am to 3:00 pm, seconded by Trustee Sherman. Trustees Colvin, Petralia, Sherman and Mayor Sherman, aye. Trustee Miers, nay as he feels there are too many coin drops. Motion passed.

Trustee Sherman made a motion to approve the Turning Point Parade organization, sponsored by the Schuylerville Area chamber of Commerce to hold their Festival Activities, annual Parade and DCA Drum Corps Competition, July 31 through August 2 from 12:00 noon to 11:00 pm each day, seconded by Trustee Colvin. All ayes. Motion passed.

Trustee Colvin made a motion to approve the Hudson Crossing Park Annual Cardboard Boat Race at Fort Hardy Park and Beach area on August 8 from 7:00 am to 4:00 pm, seconded by Trustee Sherman. All ayes. Motion passed.

The Clerk will place an ad in the official village newspaper to sell the DPW used Ford F350 pick-up truck.

Trustee Miers made a motion that all Trustees be given a key to the Clerk's office by Friday, seconded by Trustee Colvin. Trustee Miers and Colvin, aye...Trustees Petralia, Sherman and Mayor Sherman, nay as they did not think there was a need for Trustees to have a key to the Clerk's office. Motion failed.

Trustee Colvin made a motion to go into Executive Session at 8:14 pm to discuss sewer litigation and the 7 Church Street mobile home issue, seconded by Trustee Petralia. All ayes. Motion passed.

Trustee Colvin made a motion to come out of Executive Session at 9:00 pm, seconded by Trustee Sherman. All ayes. Motion passed.

Attorney Klingebiel stated that during Executive Session, there was a DPW employee issue discussed additional questions the board had for the 7 Church Street property, and approval for final payments to BCI Construction, Inc.

Trustee Petralia made a motion to approve payment of vouchers presented for the General fund - \$106,654.55 and Sewer Fund - \$9,810.38, seconded by Trustee Sherman. Trustees Miers, Petralia, Sherman and Mayor Sherman, aye. Trustee Colvin, nay as he did not review the vouchers. Motion passed.

Trustee Miers made a motion to approve payment from the Capital Sewer Fund for the final payment to BCI Construction, Inc - \$219,499.93...final payment to Stilsing Electric - \$5,218.00 and AECOM invoice #37511475 covering period 2/1/15 to 2/27/15 - \$39,092.38, seconded by Trustee Petralia. All ayes. Motion passed.

There being no further business before the Board, the meeting was adjourned at 9:15 pm.

Respectfully submitted

Anna M. Welfley
Clerk/Treasurer