

VILLAGE OF SCHUYLERVILLE
SPECIAL MEETING MINUTES
Wednesday, May 30, 2018

PRESENT:

Mayor Daniel Carpenter
Deputy Mayor Nicole Proctor
Trustee Bryan Drew
Trustee Jason Young
Attorney David Klingebiel
Clerk Treasurer Cory Heyman

Mayor Carpenter called the special meeting to order.

I. SCHUYLERVILLE AND VICTORY SEWER SETTLEMENT AND AGREEMENT.

He asked if the board had any questions or concerns that they would like to address.

Trustee Jason Young had some questions;

He questioned the length of the contract, as the contract extends until the year 2045 at \$60,000.00. He was concerned about the possibility of Victory adding on units. Mayor Carpenter said on page 6 and 7 of the agreement the \$60,000.00 only covers 429 units, any units above that will be calculated by the formula stated therein. Attorney Klingebiel also informed Trustee Young that starting in 2019 there would be a CPI increase (an annual adjustment based on several factors such as inflation and salary increases) and would be adjusted every year after that for the length of the contract.

Trustee Young also asked if we would still need to purchase better meters as discussed at a previous meeting, and would we be responsible for the full cost? It was clarified that the meters would only need to meet health code standards and would not be as extensive as the meters we had discussed. The meters we were discussing at that meeting were in reference to getting a more accurate reading to present to Victory, which is a non-issue now that we have a set cost per unit. Trustee Young asked what will happen at the end of the contract, will we need to renegotiate with them?

Attorney Klingebiel stated that if Victory did not renew in the appropriate time frame that we would be under no obligation to continue to provide sewer treatment services.

There were no other questions from the board. Mayor Carpenter read from the resolution;

**RESOLUTION APPROVING SETTLEMENT AND WASTEWATER TREATMENT
AGREEMENT WITH THE VILLAGE OF VICTORY**

WHEREAS, the Board of Trustees (the “Board”) of the Village of Schuylerville (the “Village”) is the owner of a sewage treatment plant servicing areas within the Village and also, by contract, areas within the Village of Victory (“Victory”); and

WHEREAS, certain disputes have arisen between the Village and Victory relative to the Village's improvements to the sewer system and sewer plant, and other contractual matters between the Village and Victory; and

WHEREAS, litigation was commenced by Victory against the Village, and the Board and Board of Trustees of Victory have negotiated a settlement of the litigation, as well as a new agreement between the Village and Victory for wastewater treatment and related services; and

WHEREAS, the Board finds that the settlement and new agreement to be in the best interests of the residents and taxpayers of the Village and wishes to approve same.

NOW, THEREFORE BE IT:

RESOLVED, the Board hereby approves the settlement agreement in the form and substance attached hereto; and be it further

RESOLVED, that the Board hereby approves the agreement titled "Wastewater Transportation, Treatment and Related Services" in the form and substance attached hereto; and be it further

RESOLVED, that the Board authorizes the Mayor to execute any and all documents, applications and other instruments necessary to apply for and carry out the settlement as set forth in the settlement agreement, and the terms and conditions of the Wastewater Transportation, Treatment and Related Services agreement; and be it further

RESOLVED, that this resolution shall take effect immediately.

Mayor Carpenter asked if any board member would like to make the motion to approve the resolution to accept the agreement.

Deputy Mayor Nicole Proctor made the motion to approve settlement and waste water treatment agreement with the Village of Victory Trustee Drew seconded.

Mayor Carpenter did a roll call vote as follows;

Deputy Mayor Nicole Proctor-Yes

Trustee Bryan Drew-Yes

Trustee Jason Young-Yes

Mayor Carpenter-Yes

Resolution passed 4-0

RESOLUTION TO TRANSFER FUNDS-GENERAL FUND ACCOUNT.

WHEREAS, a budget amendment is needed to transfer money from the budget between appropriations for those costs associated **from** A.9060.800 Hospital and Medical \$4,000.00 **to** A.1410.100 Deputy Clerk Personal Contractual \$1,500.00, A.8160.100 Refuse and Garbage Personal Service \$1,600.00 and A.3120 Crossing Guards Personal Service \$900.00

WHEREAS The budget should be amended as follows:

From:

A.9060.800 Hospital and Medical \$4,000.00

To:

A.1410.100 Deputy Clerk Personal Service \$1,500.00

A.8160.100 Refuse and Garbage Personal Service \$1,600.00

A.3120.100 Crossing Guard Personal Service \$900.00

THEREFORE, BE IT RESOLVED, that the Board of The Village of Schuylerville does hereby approve this resolution and authorizes the Treasurer to amend the budget as stated and as outlined.

Motion by: Trustee Drew

Seconded by: Trustee Young

Roll Call: (circle roll call vote)

Daniel Carpenter, Mayor

AYE

NAY

Jason Young, Trustee

AYE

NAY

Brian Drew, Trustee

AYE

NAY

Nicole Proctor, Trustee

AYE

NAY

Vote: 4 - 0

Motion: Passed or Failed (circle one)

I. RESOLUTION TO TRANSFER FUNDS-SEWER FUND ACCOUNT.

WHEREAS, a budget amendment is needed to transfer money from the budget between appropriations for those costs associated **from** G.9010.800 State Retirement \$200.00 **to** G.9030.800 Social Security \$150.00 and G.9035.800 Medicare \$50.00

WHEREAS The budget should be amended as follows:

From:

G.9010.800 State Retirement \$200.00

To:

G.9030.800 Social Security \$150.00

G.9035.800 Medicare \$50.00

THEREFORE, BE IT RESOLVED, that the Board of The Village of Schuylerville does hereby approve this resolution and authorizes the Treasurer to amend the budget as stated and as outlined.

Motion by: Trustee Drew

Seconded by: Deputy Mayor Nicole Proctor

Roll Call: (circle roll call vote)

Daniel Carpenter, Mayor

AYE

NAY

Jason Young, Trustee

AYE

NAY

Brian Drew, Trustee

AYE

NAY

Nicole Proctor, Trustee

AYE

NAY

Vote: 4 - 0

Motion: Passed or Failed (circle one)

Mayor Carpenter asked if anyone would like to make the motion to adjourn, Deputy Mayor Nicole Proctor made the motion, Trustee Drew seconded the motion, all in favor, meeting adjourned.

Respectfully submitted,

Recording Secretary,

Cory Heyman