

**VILLAGE OF VICTORY  
VILLAGE BOARD OF TRUSTEES**

MEETING MINUTES

April 12, 2016 6:45pm

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**PUBLIC HEARING/BUDGET PRESENTATION**

**6:45PM**

Open Public Hearing – Present at the meeting were Mayor Dewey, Trustees Sullivan and Healy, DPW Supervisor Lloyd, Clerk Treasurer Lewsey and village resident Tom Drew. **A motion was made by Mayor Dewey and seconded by Trustee Sullivan to open the public hearing on the 2016-2017 Budget. All in favor - aye. Motion passed.**

The line by line presentation of the Tentative Budget was presented by Trustee Healy.

Open Floor: Discussion on Budget Items. Resident Tom Drew asked if the tax rate was going up. Response was no, it is actually going down by \$.45/1000 and the sewer rate would be remaining the same. He then asked why the TWC franchise fee is going up. The Mayor explained the percentage is the same, the village did not vote to raise the franchise fee.

Close Public Hearing – Deputy Healy asked if there was a motion to close the public hearing. **Trustee Sullivan made the motion to close the budget public hearing which was seconded by Mayor Dewey. All in favor – aye. Motion passed.**

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**REGULAR MONTHLY MEETING  
Immediately Following Public Hearing**

Call Meeting to Order at 7:00pm

**Approval of Minutes:**

- Minutes – March 8, 2016 - Monthly Meeting
- Minutes – March 15, 2016 – Budget Meeting

**A motion was made by Trustee Sullivan and seconded by Mayor Dewey to accept the minutes from the monthly meeting on March 8<sup>th</sup> and the budget meeting of March 15<sup>th</sup> as submitted. All in favor – aye. Motion passed.**

**Village Board Correspondence or Announcements:**

- **ZBA Meeting:** April meeting not yet scheduled
- **Planning Meeting:** April 19, 2016 at 6:30pm
- **Schuylerville/Victory Water Board Meeting:** April 18, 2016 at 7:00pm in Victory
- **Primary Election:** April 19, 2016 Noon – 9:00pm

**Monthly Reports:**

All reports are read as presented and are as follows;

A. DPW REPORT

- Working Supervisor Bill Lloyd provides written report
- **QUOTE: Assembly Shifter (backhoe)**
  - Capital Tractor \$300.00



- Case \$320.00
- No other distributor available/all online leads back to Capital Tractor as distributor. Trustee Sullivan asked DPW Lloyd if he would be doing the work himself, to which he responded yes.

**A motion was made by Mayor Dewey and seconded by Trustee Sullivan to award the quote to Capital Tractor for parts in the amount of \$300. All in favor – aye. Motion passed.**

- GMC TRUCK: Town plugged in the truck into computer and Bill presented the codes associated with issues. A discussion followed on whether or not the Town employee (Chris Bin) knows about the truck codes. The response was no. Mayor Dewey asked if it is a dealer problem and if there were any suggestions as to where we could take the vehicle to have this determined. It was felt that Gendron's is the only dealer in the area. DPW Lloyd stated there is a need to look into this further as the inspection is due by the end of the month. Again, Mayor Dewey asked the board if anyone had any suggestions on where Bill could take the truck. Mayor Dewey stated he had called Gendron's, but did not receive a call back about the \$48.50 invoice. Trustee Sullivan responded that the only other place/contractor he is aware of is Ashcroft. DPW Lloyd stated Ashcroft's do not have the knowledge of or understand computers in order to diagnose newer trucks problems. Bill is to check with Ashcroft's and if they cannot take care of this, he may end up needing to go to Gendron's for the inspection.
- Also discussed was the approval and purchase of DPW signs. Mayor Dewey asked what signs, DPW Lloyd explained that all village signs were to be upgraded by 2013. **A motion was made by Mayor Dewey and seconded by Trustee Sullivan for the ordering and replacement of the signs that need to be upgraded by 2013 standards in the amount of \$725.00 which will be paid out of DPW contractual funds. All in favor – aye. Motion passed.**

**B. SEWER DEPARTMENT:**

- **Quote: Emericks Associates Transducer** (Labor to install \$625.00)
  - \$1733.00 25m cable
  - \$1269.90 30' cable
  - \$793.23 40' cable

**A motion was made by Mayor Dewey and seconded by Trustee Sullivan to accept the labor cost to install in the amount of \$625.00 plus the 40' cable in the amount of \$793.23. All in favor – aye. Motion passed.**

- Approval to order grinder pump inventory part not to exceed \$1200.00. **A motion was made by Mayor Dewey and seconded by Trustee Sullivan to approve the order for grinder inventory parts in the amount of \$1200.00. All in favor – aye. Motion passed.**

**C. CODE ENFORCEMENT OFFICER REPORT**

- CEO Report from Larry Wolcott was read. The collapse of the building on the mill/hydro property was discussed. Mayor Dewey noted he talked to village attorney Catalfimo regarding the imminent danger of the collapse. CEO Wolcott noted that the Hydro plant had put up plastic caution tape as the law calls for proper posting. There is a concern to protect the village from any liability. CEO Wolcott stated he will send the OTR to whoever needs to receive it (the last time it was Martin Mittlemark). Mayor Dewey stated that according to the county map, he feels the property ownership is the Hydro Plant. CEO Wolcott stated he had talked to Don (Hydro plant) and it seems they are coming up with a plan before the building actually collapses. He explained to me that they own under the building and Uri owns the building. Trustee Sullivan agreed that it was his understanding also that the hydro generators were under the building but they did not own the building. Trustee Sullivan and Mayor Dewey suggested sending the OTR to both parties and let them sort it out. In the meantime we need to post the property and if neither wants to own up to it, we can hire an engineer to look into it. Our local law states they can either be fined or go to jail.

D. WATER DEPARTMENT REPORT

- No minutes received. As in the past Mayor Dewey asked why he has not been receiving minutes from the Water meeting. Trustee Healy noted he had received them and will forward them on the Mayor and Clerk. Mayor Dewey again stated they should be going to everyone.

E. FIRE DEPARTMENT REPORT

- Fire Department report March 2016 was read and will remain on file. Apparently Dale Cox has been posting comments on social media. A discussion followed on the water situation at Cemetery Road and the Prospect Hill Cemetery. Fire Chief Wolcott stated he had told the Fire Dept. not to respond. Even though they were asked twice. He stated that 500K gallons of water was pumped out by Dale Cox. Fire Chief Wolcott noted he was unsure exactly where they were pumping the water. Trustee Sullivan stated they had put the hoses up over the hill. Wolcott then stated that the fire department cannot take on this responsibility. Trustee Sullivan then stated that Rural Water was there this morning checking for leaks and found there was none. Wolcott asked if they were putting drainage in. Trustee Sullivan noted according to a NPS employee there was drainage in the past, but the county made the National Park Service remove it.

F. VILLAGE TREASURER'S REPORT

- Monthly report ending March 31, 2016 was read and will remain on file.

G. PLANNING BOARD REPORT

- Chairman Pete Healy-no meeting/no report

H. ZONING BOARD OF APPEALS REPORT

- Chairperson Jaime O'Neill-no meeting/no report

I. HOME/CDBG Grant:

- Jim Thatcher, CT Male, provided a written report which was read.
- Extension request (HOME) granted through 4/30/2016
- Extension request (CDBG) granted through 5/10/2016

**OLD BUSINESS:**

A. **Litigation:** Sewer Manhole and Flow Meter Issues

- Court Date April 5, 2016

This matter will be discussed later in the meeting during Executive Session.

B. **Public Health Officer Appointment/PENDING.** An email was sent out regarding this issue but came back due to not being able to go through. Will pursue again through another avenue.

C. **Mobile Home Park License Renewals**-forwarded to CEO for MHP inspection

- Cherven/Schuyler Heights Drive MHP application and payment received/license pending
- Gordon/Schuyler Heights Drive MHP application and payment received/license pending. The Gordon MHP was inspected 4/12/16.

D. **Standing Water Issue**

- Letter sent to Prospect Hill Cemetery - c/o John Hayes
- Water pumped out as of Friday 4/8/2016 by Dale Cox

This issue was discussed earlier in tonight's meeting.

E. **Mill Project/Discussion** – Potential Workforce Housing. The Board will wait for Uri Kaufman to get information to the Village Board.

F. **Salt Shed** – Mayor Dewey stated Don Ormsby, Town Supervisor, called about \$100K town grant. The bid came \$50-\$70K higher than the grant. Mr. Ormsby said Village of Victory share would be \$20K, Town in kind. Trustee Sullivan asked what the Village of Schuylerville share would be. Mayor Dewey responded he assumes \$20K. What factors are taken into consideration – is it 1/3, % of roads or % of salt? How did they come up with the proportions? Trustee Sullivan stated CHIPS has the number of roads. He also stated he does

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not think the Village should agree with it. Mayor Dewey suggested going back to Don Ormsby and ask for more complete details. Trustee Sullivan further stated we need to see something in writing.

**New BUSINESS:**

- A. **RESOLUTION:** Budget Adoption - Village Budget FY 2016.2017. **A motion was made by Trustee Sullivan and seconded by Mayor Dewey to adopt the final budget for FY 2016-2017 dated 4/12/16. All in favor – aye. Motion passed.**
- B. **Approve Sewer Billing Report - \$59,272.04**
  - O/S: \$11,099.01 + current \$48,173.03 = \$59,272.04. Clerk Lewsey stated for Sewer it should be noted that we have lost 7 units but an increase in assessments so there may be a \$300+ difference in revenue.  
**A motion was made by Mayor Dewey and seconded by Trustee Sullivan to approve the sewer billing report in the amount of \$59,272.04. All in favor – aye. Motion passed.**
- C. **RESOLUTION:** Authorizing commencement of Code Enforcement Proceeding. Trustee Healy offered the resolution authorizing commencement of Code Enforcement proceedings regarding 38A Schuyler Heights Drive. **A motion was made to accept the resolution authorizing commencement of the Code Enforcement Proceedings by Trustee Healy and seconded by Mayor Dewey. All in favor – aye. Motion passed.**

**Open Floor:** Village resident Tom Drew asked where the place is located that was addressed in the prior resolution. Mayor Dewey stated it is at the end of Schuyler Heights Drive. He also asked about the 30 day period for grant (CDBG). Mayor Dewey stated they recently had a conference call, we had asked for an extension up to six months, they gave us an extension till May 10<sup>th</sup>. Hopefully they will give us an extension for longer so we can get things done. There are four projects still outstanding. There are benchmarks in place for them to move forward. Once these are completed, they can extend the program. He then asked if he was eligible for something beyond CDBG. He then asked about the “children at play” sign near the Kortokrax property on Gates Avenue, wondering who put it there. The Village CEO should check it out. The Village Board has no concerns at this time.

**Audit Claims:**

- Abstract # 11 – APRIL 2016
  - General Fund \$ 13,127.68
  - Sewer Fund \$ 2,120.53**A motion was made by Trustee Sullivan and seconded by Mayor Dewey to approve Abstract #11 for April 2016. All in favor – aye. Motion passed.**

**Executive Session:**

- Sewer Litigation  
**A motion was made by Mayor Dewey and seconded by Trustee Sullivan to enter into executive session to discuss the pending sewer litigation. All in favor – aye. Motion passed**

**A motion was made by Mayor Dewey and seconded by Trustee Sullivan to exit executive session. All in favor – aye. Motion passed**

**UPCOMING VILLAGE BOARD MEETINGS:**

- Monthly Meeting
  - May 10, 2016 7:00pm

**ADJOURNMENT:** **A motion was made by Trustee Healy and seconded by Mayor Dewey to adjourn the regular monthly meeting. All in favor – aye. Motion passed.**

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**ORGANIZATIONAL MEETING**  
Immediately following monthly meeting

**Trustee Healy made a motion to open the Organizational Meeting and Mayor Dewey seconded the motion. All in favor – aye. Motion passed.**

The following resolutions and appointments were read into the minutes;

Resolution Exercising & Delegating Powers Under LL1-2011:

**Section 1.** The authority and power to supervise all department and non-elected officers and employees of the village including but not limited the office staff and the DPW employees.

**Section 2.** The board appoints Mayor Dewey as the Budget Officer.

**Section 3.** Mayor Dewey delegated Trustee Healy the responsibility and authority to preside at the meetings of the board.

**Section 4.** The board delegates Trustee Healy the responsibility and authority to sign the order directing the Village Clerk/Treasurer to pay claims referenced in subsection (d) of Section 4-402 of the NYS Village Law.

**Section 5.** That this resolution takes effect immediately.

**Trustee Sullivan made a motion to adopt this resolution as read which was seconded by Mayor Dewey. All in favor – aye. Motion passed.**

Appointments by Mayor Dewey:

Deputy Mayor.....Timothy Healy

Appointments by Board of Trustees

Public Works Commissioners.....Mayor Dewey  
.....Trustee Sullivan

Public Safety Commissioner.....Trustee Sullivan

Village Clerk/Treasurer (2 year term 6/1/15-5/31/17).....Maureen Lewsey

Deputy Village Clerk/Treasurer  
(2 year term 6/1/15-5/31/17) .....JoAnn Bielkiewicz

Public Works Supervisor .....William Lloyd

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Code Enforcement Officer ..... Larry Wolcott

Registrar of Vital Statistics .....Maureen Lewsey

Water Commissioners (2 yr. term 6/1/15-5/31/2017).....George Sullivan  
(2 yr. term 6/1/15-5/31/2017).....Tim Healy

Alternate Commissioners .....OPEN  
.....OPEN

Designation of Village Depository.....Glens Falls National Bank

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**A motion was made by trustee Sullivan to designate the Glens Falls National Bank and Trust as the Village's depository of all monies received by the village clerk/treasurer and receiver of taxes and was seconded by Mayor Dewey. All in favor – aye. Motion passed.**

Designation of Official Newspaper.....The Saratogian  
**A motion was made by trustee Sullivan to designate The Saratogian newspaper as the Village's official newspaper and was seconded by Mayor Dewey. All in favor – aye. Motion passed.**

Zoning Board of Appeals: \*3 year terms\*  
1 term (2015-2018) Terrie Wolcott  
2 term (2013-2016) Heather Freebern  
3 term (2014-2017) Jamie O'Neill  
Alternate OPEN  
Chairperson

Planning Board: \*5 year terms\*  
1 term (2011-2016) OPEN  
2 term (2012-2017) Peter Healy  
3 term (2013-2018) Tim Fort  
4 term (2014-2019) William Lloyd  
5 term (2015-2020) Corey Helwig  
Alternate OPEN  
Chairperson

**A motion was made by Trustee Sullivan and seconded by Mayor Dewey to accept all the above named appointments for the time limits stated. All in favor – aye. Motion passed.**

Attorney for the Village.....Michael J. Catalfimo  
**A motion was made by Trustee Sullivan and seconded by Mayor Dewey to designate Michael J. Catalfimo as the Attorney for the Village at a rate of \$400 per month and litigation matters at an increased rate of \$10 more per hour. All in favor – aye. Motion passed.**

Schedule of Board of Trustee Meetings

RESOLVED, that the regular meetings of the Village Board of Trustees of the Village of Victory shall be held in the Village Board Room of the Village Hall, 23 Pine Street, Victory Mills, New York, on the **Second Tuesday of each month**, beginning at 7:00 p.m., provided that where an official holiday falls on the first Tuesday of the month, said meeting shall be rescheduled for the following business day at 7:00 p.m.

RESOLVED, that the next organization meeting of the Board of Trustees shall be held on the second Tuesday of April, 2017, at 7:00 p.m.

RESOLVED, that special meetings of the Board of Trustees may be called by the Mayor or a majority of the Board of Trustees upon notice to the entire Board. Notice shall be given in accordance with law.

Village Policies and Procedures

RESOLVED, that, having reviewed the following Village Policies and having determined that no changes or revisions are required to be made to the same at this time, the Board of Trustees do hereby ratify, affirm, re-approve and re-adopt the following existing Village Policies and Procedures:

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1. Procurement Policy
2. Investment Policy
3. Cash Receipts Policy
4. Website Content Policy
5. Incoming Mail Policy
6. Code of Ethics
7. Building Access Policy
8. Municipal Web Site Content Policy
9. Cellular Phone Use Policy

#### Mileage Allowance

**A motion was made by Trustee Sullivan and seconded by Mayor Dewey to approve reimbursement to such officers and employees the rate of \$.54 per mile for all business use (business standard rate). This is the Internal Revenue Service mileage rate standard effective January 1, 2016. All in favor – aye. Motion passed.**

#### Advance Approval and Payment of Claims

**A motion was made by Mayor Dewey and seconded by Trustee Sullivan to authorize payment in advance of audit of claims for public utility services, postage, and freight and express charges. All such claims must be present at the next regular meeting for audit and the claimant and the officer incurring and approving the claims are joint and severally liable for the amount the Board of Trustees disallows. All in favor – aye. Motion passed.**

#### Authorized Attendance at Conferences and Meetings

RESOLVED, that authorization is given for travel to:

(a) The Mayor, Trustees, Clerk/Treasurer, Deputy Clerk/Treasurer and Attorney for the Village for attendance at Annual Meetings and training sessions of the New York State Conference of Mayors and other Municipal Officials organizations;

(b) The Fire Chief, and one (1) assistant Fire Chief or other officer of the Department, for attendance at the annual conference of New York State Fire Chiefs;

(c) The Code Enforcement Officer, for attendance at approved training opportunities in order to obtain annual credits to maintain certification; and

(d) The Superintendent of Public Works, for attendance at training opportunities for the public works department and for maintaining the Class D license for water certification.

RESOLVED, that attendees be reimbursed by the Village for regular and reasonable budgeted expenses incurred by their attendance at the above functions pursuant to Section 77-b of the General Municipal Law of the State of New York, or as provided for by resolution of the Board of Trustees.

**A motion was made to approve all resolutions and appointments was made by Trustee Sullivan and seconded by Mayor Dewey. All in favor – aye. Motion passed.**

#### **Adjournment:**

**A motion was made by Mayor Dewey and seconded by Trustee Sullivan to adjourn the Organizational Meeting. All in favor – aye. Motion passed.**

Respectfully submitted,

*JoAnn Bielkiewicz*

Recording Secretary

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