

**VILLAGE OF VICTORY
VILLAGE BOARD OF TRUSTEES
MEETING MINUTES**

**SEPTEMBER 12, 2016
7:00pm**

Call Meeting to Order

Approval of Minutes:

- Minutes – August 8, 2016 - Monthly Meeting
- Minutes – February 16, 2016 – special meeting
- Minutes – January 20, 2016 – special meeting

A motion was made by Mayor Dewey and seconded by Trustee Sullivan to approve the regular monthly meeting minutes from the August 8th meeting, as well as the special meeting minutes of January 20th and February 16, 2016. All in favor – aye. Motion passed.

Village Board Correspondence or Announcements:

- **Village Website:** VillageofVictory.com - Is currently under construction! The initial website will be launched by 10/1/2016. Updates of local laws, village policies and etc. to follow.
- **ZBA Meeting:** 3rd Monday/September meeting not yet scheduled
- **Planning Meeting:** 3rd Tuesday/September meeting not yet scheduled
- **Schuylerville/Victory Water Board Meeting:** 3rd Monday/September 19, 2016 at 7:00pm in Victory
- **Flushing Hydrant Schedule:** Victory week of 9/19-9/23 and Schuylerville week of 9/26-9/30
- **USDA/RURAL DEVELOPMENT:** Grants (up to \$7500.) and Loans (up to \$20,000. w/fixed interest rate of 1%) Both are available for single family housing. More information is available on the village clerk's corkboard in village hall.
- **NYS DOT:** Funding through Transportation Alternatives Program (TAP) and Congestion Mitigation and Air Quality Improvement Program (CMAQ) for bike, pedestrian and multi-use paths and or projects that will help meet the requirements of the Clean Air Act by reducing congestion and vehicle emissions. The goal is to provide transportation improvements and safer for bicyclists, pedestrians and motorists.
- **Village Office Hours:** week of 9/12/16: Monday 9-5pm, Tuesday 9/13/16 **OPEN 11-2:30pm/CLOSED 2:30-5pm**, Wednesday 9/14/16 and Thursday 9/15/16 **OPEN 9:00am-2:30pm / CLOSED 2:30pm-5:00pm**, Friday 9-5pm.

Monthly Reports:

All reports are read as presented and are as follows;

A. DPW REPORT

- Working Supervisor Bill Lloyd provided a written report which was read.
- **QUOTE:** The Cutting Edge \$826.76/Steiner at dealer for repair
 - Submitted to Insurance for Claim/\$500.00 deductible/process pending. Mayor Dewey commented that the Steiner needs to be repaired. **A motion was made by Mayor Dewey and seconded by Trustee Sullivan to approve the quote received from the Cutting Edge in the amount of \$826.76 minus the \$500 insurance claim amount (\$326.76) and to reconsider the Summer Youth Employment & Training Program next year due to damaged equipment. All in favor not to have the program next year – aye. Motion passed.**

B. SEWER DEPARTMENT:

- Included with DPW report

C. CODE ENFORCEMENT OFFICER REPORT

- CEO Report from Larry Wolcott which was read.
 - Discuss Mill OTR/Property Maintenance Violation
 - CEO Certification to begin October 2016/Registration complete
- Trustee Healy asked in regard to 28 Gates Avenue, who has the dumpster there as there has been new bags of garbage there. Mayor Dewey said he would speak with CEO Wolcott to have him check on the status as the dumpster has been there quite a while without being emptied. This property is an ongoing thing, Trustee Sullivan suggested sending OTR's for any and all violations. Trustee Healy noted for the OTR's should be sent for the pool, debris, roof and the grass. Trustee Sullivan asked about the fees we have sent for OTR's, do they end up on a re-levy report and the answer was yes for prior years but we will not know until April 2017. Current OTR fees will be on future taxes.

Trustee Sullivan noted that on 7 Horicon Avenue trees have been removed remaining trees and everything in the drainage overlay, which is a violation of our zoning laws. Trustee Sullivan filled out a complaint, but not have heard anything from CEO Wolcott. Mayor Dewey stated he would check with CEO on this. I understand he has gotten ENCON approval, but that does not supersede village, town or any other government regulations. He has dug a foundation for a house, to which Mayor Dewey stated he has no permit for a house. A question on the storm sewer line (which is owned by Roberts) location and DPW Lloyd feels he is adding on and running it down to the creek. You are not able to divert the lines onto anyone else's property, if so he is in violation. Mayor Dewey will discuss this issue further with CEO Wolcott.

The next item for discussion is the Mill property and the OTR issued for the grass overgrowth and this is more than he can handle. The deadline of the OTR has passed and they are clearly in violation of the maintenance code. Mayor Dewey stated that Enel mows their property. Mayor Dewey stated he had sent the OTR to Attorney Catalfimo on these issues. At this time, Mayor Dewey asked what the Board would like to see happen? Trustee Sullivan he feels we should concentrate on the front of the building, along the fence and grass line south (all we can see from the front – not the back). As for fees, the village charges \$500 for a regular property owner, what should be charged in this instance. Trustee Healy stated he would discuss with DPW Lloyd what he feels is needed. **A motion was made by Mayor Dewey and seconded by Trustee Sullivan to ask for Attorney Catalfimo's advice, take estimates for the cleanup of the clearing of the property, and give the Mill 10 days to comply or we will proceed with the cleanup process and relevy the costs if we have to. All in favor – aye. Motion passed.**

D. FIRE DEPARTMENT REPORT

- Fire Department Report from Chief Wolcott which was read.
- Approve Pump Test for Fire Trucks \$942.90. **A motion was made by Mayor Dewey and seconded by Trustee Sullivan to approve the Pump Test for the fire trucks in the amount \$942.90. All in favor – aye. Motion passed.**

Trustee Sullivan had a question on what is the liability of administering NARCAN. Mayor Dewey responded if individuals are trained there is no liability? What if someone dies? Trustee Healy reiterated EMT's must have training. Trustee Sullivan stated he would like to hear the answer to the question of NARCAN from Attorney Catalfimo or somebody.

E. WATER DEPARTMENT REPORT

- Draft Minutes from August 2016 meeting. Mayor Dewey asked if there is any way he can receive the minutes from the Water Meetings. He has asked many times but doesn't get them. Trustee Healy

stated that a revised quote was out today to CT Male from Chairman Baker, and Trustee Healy will forward this as well as last month's water meeting minutes to Mayor Dewey for his information.

F. VILLAGE TREASURER'S REPORT

- Monthly report ending July 2016 which was read.

G. PLANNING BOARD REPORT

- Chairman Pete Healy-Meeting was held 8/23/16/Minutes attached. Trustee Healy spoke to Chairman Healy at length about the expectations of the village board had and would like a letter asking for a timeline of what the village could expect in the future. Trustee Sullivan commented Travis Kline hasn't done anything and is not surprised as he was a resident and water board chairman with us and was ineffective. His property is an eyesore and should also be sent an OTR as it is a mess. Trustee Sullivan agrees with the Planning Board Chairman that Mr. Kline should be sent a letter as it has been 5 months and nothing has been accomplished. **Mayor Dewey made a motion to have the Planning Board Chairman Healy call Mr. Kline and ask if he's made any progress and if not, then Mayor Dewey agrees with the Chairman that the board would send a letter to Mr. Kline stating we are looking forward and moving on. This motion was seconded by Trustee Healy. All in favor – aye. Motion passed.**

H. ZONING BOARD OF APPEALS REPORT

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

I. HOME/CDBG Grant:

- Jim Thatcher, CT Male submits report through August 31, 2016
- Both programs closed as of August 31, 2016

OLD BUSINESS:

- A. Litigation: Sewer Manhole and Flow Meter Issues. Mayor Dewey stated this will probably go on forever as the court date is set for some time next year.
- B. Mill Redevelopment/Riverview Realty. Mayor Dewey stated he had a brief talk with Mr. Kaufmann about the building demo. Mayor Dewey also noted he couldn't support the Workforce Housing. Mr. Kaufmann was discouraged with the Mayor's comment but did say he built Harmony, so he could probably do this project too. Trustee Sullivan stated he would like to make a motion and go on record with Riverview Realty if the Board will not support the workforce housing he is proposing, we should notify him in writing. Mayor Dewey replied that we have no proposal, nothing in writing or official at this point and we may never receive one.
- C. Mobile Home Park Local Law
 - Still under review for MHP renewal fees. Mobile Home license fees were discussed. This will be discussed at the October meeting to make final tweaks and prepare for the public hearing scheduled for the November's meeting so we can pass a law.
- D. DPW Truck
 - Draft Specs for review / Pending. Mayor Dewey stated he has all the truck specs and has made a formal request as he has had conversation with Mark Luciano from Carrie Woerner's office requesting paperwork for the grant application and they haven't come forward with this as of yet. Mr. Luciano did say this would take time. Mayor Dewey has a call into Carrie Woerner to pursue this issue. The process is the paperwork goes to the Dormitory Authority, then we would receive a commitment/contract and after that the time period would probably be between 9-18 months. Mayor Dewey again stated he has the specs, but is waiting a bit until we actually have the commitment. Then we will put this out for bid. Trustee Sullivan commented we should come up with a better plan, wait as the frame will not break in half on the road, and we did not need all the repairs done. Possibly have the truck inspected by a state agency. We have spent an awful lot of money unnecessarily on repairs. Mayor Dewey replied that the Town said the frame is bad. Trustee Sullivan responded, what happens then, we haven't budgeted a penny for the truck. Mayor Dewey said the board had agreed to move forward with it. Trustee Sullivan said again we should get a second opinion. Mayor Dewey said he

did not have a problem with Trustee Sullivan's suggestion of getting a second opinion if he wants to take the truck to have this done. Trustee Sullivan said he would get a second opinion.

E. Neighborhood Watch

- Meeting was held August 24, 2016 with Representatives from Sheriff's Department
- Training Event offered on August 31, 2016 at a follow up from initial meeting.

Trustee Healy stated there were a number of people at the second meeting that were not at the first one. He understands there will be another training event scheduled for those that were not able to attend the training held on August 31st. Mayor Dewey said that he has not heard anything except that the neighborhood watch group were handling it and he offered help if they needed it (but would not interfere if they did not need his help).

F. Update on Time Warner Security Services for Sewer Garage

- Dead bolts have been installed on both entry doors as approved last month.
- Options for installing security system has been emailed 8/18 to village board
- Village Board to make determine on further security. Village Board of Trustees are okay with the deadbolts. This option would save the village extra costs.

NEW BUSINESS:

- A. Resolution: Request from County of Dutchess in supporting to Think Differently and Autism Spectrum. **A motion was made by Mayor Dewey and seconded by Trustee Sullivan to approve the resolution dated September 12, 2016 for the Village of Victory residents and Business Owners to adopt the "Think Differently: initiative to assist individuals with special needs and their families. All in favor – aye. Motion passed.**
- B. Resolution: Budget Amendment/Pay off Sidewalk Bond Anticipation Note (BAN)
a. Sidewalk Project Year 3 maturity date September 14, 2016 Pay off Amount \$9,464.15
A motion was made by Mayor Dewey and seconded by Trustee Healy to approve the resolution dated September 12, 2016 authorizing the treasurer to pay off the BAN for the Sidewalk Project and to amend the budget of \$6200.00 from General Fund A2831 (Fund Surplus) to A9730.6 / Bond Anticipation Notes, principle. All in favor – aye. Motion passed.
- C. Resolution: Budget Amendment/Transfer from Contingency to Zoning for Village Engineer Expenses. **A motion was made by Mayor Dewey and seconded by Trustee Healy to approve the resolution dated September 12, 2016 to authorize the treasurer to transfer the appropriation of \$800.00 from General Fund A1990.4 (Contingency) to A8010.4 (Zoning Contractual) for Village Engineer expenses. All in favor – 2 ayes, Trustee Sullivan said he would abstain from voting as he would like to wait and actually see the report before he supports paying the fee. Motion passed.**
- D. Sewer Maintenance Garage ROOF SPECS (Procurement Policy attached)
a. Review Draft Specs and Scope of Work
b. Determine purchase contract or public works contract. It was agreed by the Board to choose the purchase contract method.
c. Determine what method for pricing/competitive bidding (sealed) or 3 written quotations. It was agreed to accept only email or written quotes from interested parties.
Trustee Sullivan suggested a requirement of the awarded contractor not sub-contract out. He's aware that if work is not done to our satisfaction that the original awarded contractor is responsible, but can otherwise make it complicated. Mayor Dewey felt this is not an issue. Trustee Healy agreed with Trustee Sullivan and would like to see the requirement put into the specs. Mayor Dewey said he had no problem with having it included. There was a brief discussion on color, shape, removal of debris and guarantee finish to manufactures warranty. A special meeting to award the bid will be held October 18, 2016 at 7:00pm.

- E. USDA Sewer Loan #92-02 Long Term Debt Information
 - a. Pay off amount through September 1, 2016 is \$78,024.77. After this date additional daily accrual rate is \$11.0753.
 - b. Borrowing information from GFNB and Village Attorney ~ Pending
 - c. Refinance, check into what type, i.e., review sewer agreement language, calls out loan or indebtedness. Trustee Sullivan suggested we should do as soon as possible. Mayor Dewey questioned the term of loan. We will talk about this next month.
- F. Kiosk Location Determinations. A brief discussion regarding the suggestions from the planning board. After the discussion, two recommendations were brought up. The first kiosk, originally designed for the Mill could be mounted in the Village Hall until ready to be installed, and the other two larger kiosks should be located in the village park. Trustee Healy will investigate the locations and will bring this up again next month for discussion.
- G. Planning Board requests Village Board to appoint different point of contact
 - a. Planning Board minutes 8/23/2016 attached
 - b. Letter to Travis Kline dated 3/24/2016
This was discussed earlier in the meeting.
- H. Grant Availability
 - a. Drew Alberti has forwarded grant information available through different resources. Deadlines are coming up too soon for action to be able to be taken at this time.
- I. Sewer Billing Approval
 - a. \$50,197.50 for Bill Cycle 6/1-11/30/16 and to be billed 10/1/2016. **A motion was made by Trustee Sullivan and seconded by Mayor Dewey to approve the upcoming October 1st sewer bill for the period of 6/1/2016-11/30/2016. All in favor – aye. Motion passed.**
- J. Sewer Hook Up - New Application
 - a. Dave Roberts has application request to tie into village sewer for residence/new construction on 7 Horicon Avenue (see application). Mayor Dewey stated we do not have enough information to act on this. Trustee Sullivan noted he has not submitted plans or submitted a building permit. Mayor Dewey again stated the board does not have enough information and what are the plans (one family or two). Mayor Dewey continued to state he cannot get a building permit unless he has utilities. Also, we don't have plans on the house, supposedly they are on file somewhere and we need that before we can approve it. Trustee Sullivan also said Mr. Roberts should be asked what he plans to do with the storm water line which should be part of the plans. A letter needs to be sent to Mr. Roberts requesting answers to the questions of needed plans, etc.
- K. Zoning Violations/Fish Creek Drainage Overlay. This has already been discussed earlier in the minutes.
- L. Village Property aka The Point
 - a. Concerns about overflow parking/junk. Trustee Sullivan noted there are a number of cars parked in that area every day. Mayor Dewey stated when he went by there was only one car. Trustee Sullivan is concerned because it is village property and it is becoming the same situation as the White's Alley problem, junk cars.
 - b. Improvements made by signage and shrubs/staging area for dpw. Trustee Sullivan stated this is becoming a shortcut/turn around and is not an official road and the village shouldn't allow parking in that area. The cones should probably be picked up as the sidewalk project has been completed. Village Clerk Lewsey said she text DPW Ryan Cook today and this was taken care of. Trustee Sullivan said he didn't want a small issue become a bigger one.
 - c. Area used by school buses etc. Trustee Healy asked if there was a liability if a school bus hit one of the parked vehicles. Mayor Dewey suggested taking the cones away and see what happens then.
- M. Approve Assistance to village office for setting up website/uploading documents etc
 - a. Not to Exceed \$750.00 (currently estimate 21 hrs @ \$25/hr. = \$525.00). Trustee Sullivan asked if Mike Bielkiewicz could become the website administrator. Trustee Sullivan asked why is the village paying JEG to be the administrator when he isn't doing the work. Mayor Dewey explained that JEG

has the website on his server, and it could be moved but would be costly, time consuming and Mr. Bielkiewicz suggested leaving it there. The domain and registration is paid for by Mayor Dewey. Mr. Bielkiewicz has been creating info to be placed on the website. **A motion was made by Mayor Dewey and seconded by Trustee Healy to approve assistance to the village office for setting up the website and assisting with uploading documents from Mike Bielkiewicz not to exceed \$750. The board is to review and approve the website prior to the launching on or before 10/1/2016. All in favor – aye. Motion passed.**

Open Floor: Tom Drew, village resident noted he would like to have the van parked on Herkimer Street (near Perry's which is registered/licensed and jacked up) removed before snow removal. Mayor Dewey said if someone can provide him with a plate number, he will contact the Sheriff's Dept. to see if it is legitimate. Also a kid that drives a black car is always speeding down Herkimer Street. Mr. Drew also asked who the village engineer is, to which Mayor Dewey said Longtin Engineering of which the village has used for quite some time. He also asked what he was going to do with the Mill. Mayor Dewey said it is unknown at this time.

Audit Claims:

- Abstract # 4 – SEPTEMBER 2016
 - General Fund \$32,233.47
 - Sewer Fund \$ 2,597.25

A motion was made by Mayor Dewey and seconded by Trustee Healy to accept the Audit Claims for Abstract #4 as submitted. All in favor – aye. Motion passed.

Executive Session:

- Litigation matter pertaining to Schuyler Heights Drive. **A motion was made to enter into executive session by Mayor Dewey and seconded by Trustee Healy to discuss litigation matters pertaining to Schuyler Heights Drive. All in favor – aye. Motion passed.**

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

UPCOMING VILLAGE BOARD MEETINGS:

- Monthly Meeting
 - 2nd Tuesday, OCTOBER 11, 2016 7:00pm
 - Special Meeting to award bid, October 18, 2016 7:00pm

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

Respectfully submitted,

JoAnn Bielkiewicz