**VILLAGE OF VICTORY**

**VILLAGE BOARD OF TRUSTEES**

AUGUST 8, 2017 at 7:00pm

MONTHLY MEETING AGENDA

Call Monthly Meeting to Order: Present: Mayor Pat Dewey, Trustees Tim Healy and George Sullivan. Also attending was Clerk Treasurer, Maureen Lewsey.

**First order of Business: Truck Bid Opening: 1 Dodge Ram 5500:** Bids were due by Monday, August 7, 2017 by 5:00pm. 5 Bid packets for Dodge RAM 5500 and 7 for Ford 550 were either faxed, emailed or picked up in the office. Two bids were received via UPS prior to the deadline. Those were as follows:

* L.T. Begnal Motor & Co.: Option #1 - $45,507.50

Option #2 – $68,509.50 (with additional items)

Option #3 - $48,710.00 (Package B)

Option #4 – $71,712.00 (Package A&B)

* Crossroads Ford: $45,281.00 (with options- HD Front Suspension)

$23,002.00 (Package A&B)

$68283.00 Total

**A motion was made by Mayor Dewey and seconded by Trustee Healy to table the discussion on the bids until later this month when a special meeting will be scheduled (TBD). All in favor – aye. Motion passed.**

**Approval of Minutes**:

* Minutes – July 11, 2017 - Monthly Meeting. **A motion was made by Mayor Dewey and seconded by Trustee Healy to accept the minutes as submitted for the July 11, 2017 regular monthly meeting. All in favor – 2 ayes, 1 nay (Trustee Sullivan abstained as he did not attend the meeting). Motion passed.**

**Village Board Correspondence or Announcements**:

* **ZBA Meeting**: August 2017 Meeting TBD
* **Planning Meeting**: August 15, 2017 at 6:30pm
* **Schuylerville/Victory Water Board Meeting**: August 21, 2017 at 7:00pm in Victory
* **NYMIR Regional Seminar**: Workplace Violence & Sexual Harassment Prevention Program 10am-12pm & Distracted Driving 1pm-2pm on September 14, 2017 at Town of Saratoga. Free to NYMIR members but $35.00/person for non-members.

**Monthly Reports**:

All reports are read as presented and are as follows;

1. DPW REPORT
   * Working Supervisor Bill Lloyd provides written report
   * Public Works Training School 10/16-10/18/17 in Lake George information will be available at next month’s meeting.
   * **QUOTE**: Replace rear axle seal/Chevy
     + R.C. Automotive $167.00
   * **QUOTE**: Replace fuel return cooler on tank/Chevy
     + R.C. Automotive $335.00

There was a discussion on exactly what was going to be repaired, and when discussing the bypassing of fuel cooler, Trustee Sullivan noted that if you just replace the seal it will be torn up in no time. Trustee Sullivan also noted a sleeve can be pressed over the rear-end housing so it will last longer. Trustee Sullivan asked Lloyd to verify the sleeve process is what is going to be done. Mayor Dewey agreed this would prolong the life of the cooler. Trustee Sullivan noted we need to find out what a new rear-end housing will cost if the sleeve does not work. **A motion was made by Mayor Dewey and seconded by Trustee Healy to approve the repair of the fuel cooler in the amount of $245.00 plus $90.00 for 2 hours labor for a total of $335.00, plus replace the rear axle seal in the amount of $32.00 plus $135.00 for 3 hours labor for a total of $167. The grand total approved by the board is $502.00. All in favor – aye.** **Motion passed.**

1. SEWER DEPARTMENT:
   * Included with DPW report
   * **QUOTE:** George LaPlante, Inc., “GLLP” new Grinder Pumps $1,850.00 each or $9,250.00 for 5 E One Extreme Pump (comes with alarm panel and conversion kit). Mayor Dewey asked DPW Foreman Lloyd if we had 6 pumps ready on the shelf. DPW Foreman Lloyd responded yes and 1, possibly 2 could be repaired. Trustee Sullivan asked if all the pumps in the village are the 200 series. DPW Foreman Lloyd responded he has 4-5 2000 series, but all the rest are the 200 series. Again Mayor Dewey asked if the village had 8 pumps on hand at this time. DPW Lloyd said yes, but 2 will need to be used soon. Mayor Dewey asked Lloyd what his comfort level was for spares. Are we comfortable with the 6 pumps or should we have more as will have to start replacing the pump cores? Mayor Dewey asked the board if we should by one pump and go from there. Trustee Healy asked Trustee Sullivan his thoughts. Trustee Sullivan stated he felt that we should use the cores we have on hand first and also continue to repair and we have with the parts we have. Trustee Sullivan asked what the lead time is to get new pumps. Lloyd responded he did not think it would take long. Trustee Sullivan stated we need to know that information. Trustee Healy asked if we would be allowed credit for the cores we do have and asked Lloyd to check into this and to find out the lead time. Mayor Dewey stated we have a comfort level of 6 pumps, but he would rather have 8 on hand. Trustee Sullivan said we would need other quotes. Mayor Dewey said Lloyd is to get the information on the core credit and lead time questions together so, as Trustee Healy suggested, this can be discussed again at the sidewalk meeting scheduled for later this month.
2. CODE ENFORCEMENT OFFICER REPORT
   * Larry Wolcott’s report was read. Trustee Healy asked for clarification, as there was a brief discussion in the office from CEO Wolcott regarding 28 Gates Avenue. Trustee Healy was reaffirmed that CEO tried sending the original OTR, but it came back not deliverable. Clerk Lewsey has contacted the County but they have no other address for the owner except for the Johnsonville address we have on the property transfer paperwork. Mayor Dewey said he will call the same number he called regarding the garbage issue and attempt to get a physical address. CEO Wolcott said he tried to reach out with a letter and notes he can repost the OTR again on the outside of the building. Once the Mayor gets a response, we can be prepare a resolution for the next meeting. We can’t keep waiting as we are way past the 30 day period. The Mayor stated if he can’t get anywhere with this, he will contact the village attorney and begin prosecution. The Board was all in agreeance with this process. Trustee Sullivan asked CEO Wolcott what has happened with the two complaints he had submitted. Wolcott stated he and Buddy Mitchell had discussed the complaint and Mr. Mitchell asked what needed to be done to resolve it. Wolcott said he told Mr. Mitchell you need to come in and apply for a permit when he converts from 1 family to 2 family. At this point he has other properties he is working on at this time. The other complaint was for the Dave Roberts property. Wolcott said he has spoken to Dave Roberts and Mr. Roberts he is keeping the sidewalk area maintained as best he can. Since the utilities are yet to be done doesn’t make sense to pour a sidewalk at this time. He plans to replace the entire sidewalk in that area when completed. Trustee Sullivan said what bothers him that he had changed the grading of the property and buried the sidewalk. CEO stated the sidewalks were never maintained to begin with, so he tore them up. Roberts feels it makes sense not to put a new sidewalk in then drive trucks and equipment over them. Trustee Sullivan said he understands that, but this is violation of the village ordinance. Mayor Dewey feels there isn’t a problem until he doesn’t replace the sidewalk. CEO feels if it comes to the point of being not safe or un-obstructive we will deal with that them. The other complaint that Trustee Sullivan wanted clarification on the TV’s on the Witt property. The TV’s were near the road, and now he has moved them about 10 feet into his yard. CEO Wolcott said he will send another OTR on the TV’s and the two unregistered cars in his yard. He has tried to catch up with him to no avail.
3. FIRE DEPARTMENT REPORT
   * Fire Department report by Chief Wolcott was read. Mayor Dewey noted there was a good turn-out of volunteer fireman at the Turning Point Parade. Trustee Sullivan asked about the status on the sale of the firetruck. Fire Chief Wolcott noted it is on their website and are hopeful it will sell soon. Trustee Sullivan asked if the original company was no longer interested in the truck. Wolcott responded they are real disappointed as they have been taken out twice in the truck and they were going back to discuss at their next meeting, and we have not heard anything back from them.
4. WILTON EMERGENCY/GENERAL SCHUYLER EMS
   * JR Hanna was absent. No report provided.
5. WATER DEPARTMENT REPORT
   * Draft minutes received today, from July 17, 2017 meeting. Trustee Healy asked if the Board had any questions. Mayor Dewey stated he had just received them and had not had the opportunity to read them yet.
6. VILLAGE TREASURER’S REPORT
   * Monthly report ending July 31, 2017 which was read. Clerk Lewsey stated there needs to be a correction on the August Abstract report in the amount of $54.00 so total for General Fund unpaid Abstract #3 amount should be $21,842.98 to reflect the $54.00 addition.
   * Treasurer requests to attend Fall Training 9/12-9/14/17 at Saratoga Hilton. Registration fee $295.00 w/o lunch package. **A motion was made by Mayor Dewey and seconded by Trustee Healy to approve the request to attend Fall Training from 9/12-9/14, 2017 at the Saratoga Hilton in the amount of $295.00, plus lunch. All in favor – aye. Motion passed.**
7. PLANNING BOARD REPORT
   * Chairman Corey Helwig provided written report. Chairman Helwig reported that a Public Hearing for the Saratoga Peanut Butter Company will be held August 15, 2017 at 6:00pm. Also the Chairman requested the Board to revisit the changes to the Zoning Law that the Planning Board had submitted a few years back. Mayor Dewey said the Board will take another look at those suggestions.
8. ZONING BOARD OF APPEALS REPORT
   * Chairperson Jaime O’Neill-no meeting was held in July 2017 – no report.

**OLD BUSINESS**:

1. **Litigation:** Ongoing Sewer Manhole and Flow MeterIssues with Village of Schuylerville. This will be discussed in Executive Session.
2. **Mill Redevelopment/Riverview Realty**
   * Demolition/Building #8 status. Mayor Dewey spoke to village attorney Catalfimo and his understanding is that even though Riverview Realty and ENEL went to court, the court ruling does not take ENEL out of the responsibility for the demolition of #8. Therefore, the Village needs to resend the OTR to the official address. The Village will need that official address from attorney Catalfimo in order to resend the OTR. Attorney Catalfimo will prepare the papers and get them to CEO Wolcott for him to reissue the OTR in order for us to go to court. Trustee Sullivan asked what Mr. Kaufmann’s intentions are for the rest of the building. Mayor Dewey responded he has not heard from him at all.
3. **OTR – appearance tickets issued**
   * 28 Gates Avenue. This was discussed earlier in the meeting CEO report.
4. **Draft Local Law on Fee Schedules for review/pending receipt.** The village has not heard back from the attorney’s office on this issue. An email will be sent to the attorney’s office as a follow-up.

**New BUSINESS**:

1. **Aflac presentation**: Different plans available/payable by employee through payroll deduction. Rachel Hickok and Ryan, Benefit Consultants from Aflac Insurance, provided information for employee benefits, which the employee does not pay taxes on that portion. Does not cost the Village anything to offer these benefits. Policies are geared and customized toward individual needs. They brought pamphlets to hand out. Aflac has been in business since 1955. They are the number one volunteer benefit provider in the US. Most popular is their Cancer policy. Aflac also repays the employee $75.00/year just for having a wellness checkup for you and your spouse, children are free up to age 26. An overview benefits of the cancer policy was given. A rider is also available for accident, life insurance, death benefits, etc. of which an overview was provided. **Mayor Dewey said he would support the plan for employees to voluntarily choose to sign up for Aflac insurance benefits. All village board members agreed.**
2. **RESOLUTION: Reserve Account** Unexpended Balance from Fire Department Contractual Account
   * Type Reserve Account ~ $1,202.00. The Resolution would establish a capital reserve fund to be known as “Fire Fighting PPE Reserve Fund” (Reserve Fund). The purpose of this Reserve Fund is to accumulate moneys to finance the cost of a type of equipment. The type of equipment to be financed from the Reserve Fund is the acquisition of Personal Protective Equipment (PPE) as provided for in Section 11.00(a) (32) of the New York Local Finance Law. The Village Treasurer is hereby directed to deposit and secure the moneys of the Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The Board of Trustees of the Village may invest the moneys in the Reserve Fund in the manner provided in Section 11 or the General Municipal Law and consistent with the investment policy of the Village of Victory, provided this investment function may, by resolution of the Governing Board, be delegated to the Chief Fiscal Officer. Trustee Sullivan asked who controls these funds. The response was the Village of Victory. **A motion was made by Trustee Healy and seconded by Mayor Dewey that this resolution regarding the Reserve Account in the amount of $1202.00 be deemed effective as of the 8th day of August, 2017. All in favor – aye. Motion passed.**
3. **RESOLUTIONS**: Authorizing Commencement of Code Enforcement Proceedings/21 Pond Street and 14 Pine Street, Village of Victory.

* Trustee Healy offered the resolution which states the Code Enforcement Officer of the Village of Victory has heretofore determined that the property located at 21 Pond Street in the Village of Victory is in violation of the New York State Property Maintenance Code and has issued to the owner, Stephen VanDyk, and Order to Remedy said Violation and whereas, the OTR has not been complied with, and the violation has not been corrected or removed within the time permitted therefore, be it resolved the Michael J. Catalfimo, Esq., who is employed as the Attorney for the Village of Victory, and/or attorneys working under Mr. Catalfimo’s supervision at the law firm of Carter, Conboy, Case, Blackmore, Maloney & Laird, P.C. be jointly and severally authorized and empowered to make all actions and do all things necessary and appropriate to commence and prosecute a criminal proceeding in the Saratoga Town Justice Court against the owner of the aforementioned premises on account of the aforementioned Violation and the owner’s failure to comply with the Order to Remedy and that the Board of Trustees of the Village of Victory requests the consent of the Saratoga County District Attorney for said criminal proceeding to be prosecuted by the aforementioned attorneys and that the Mayor, Clerk/Treasurer of the Village of Victory are hereby authorized to take appropriate steps and to prepare and file all appropriate forms and statements in order to carry out the purposes of this resolution. **A motion was made by Trustee Healy and seconded by Mayor Dewey that this resolution regarding proceedings for 21 Pond Street, Stephen VanDyk, be deemed effective as of the 8th day of August, 2017. All in favor – aye. Motion passed.**
* Trustee Healy offered the resolution which states the Code Enforcement Officer of the Village of Victory has heretofore determined that the property located at 14 Pine Street in the Village of Victory is in violation of the Village of Victory Zoning Law and Village of Victory Noise Ordinance and has issued to the owner of said property, Madeleine Richmond-Veal, an Order to Remedy said violation and whereas, the OTR has not been complied with, and the violation has not been corrected or removed within the time permitted therefore, be it resolved the Michael J. Catalfimo, Esq., who is employed as the Attorney for the Village of Victory, and/or attorneys working under Mr. Catalfimo’s supervision at the law firm of Carter, Conboy, Case, Blackmore, Maloney & Laird, P.C. be jointly and severally authorized and empowered to make all actions and do all things necessary and appropriate to commence and prosecute a criminal proceeding in the Saratoga Town Justice Court against the owner of the aforementioned premises on account of the aforementioned Violation and the owner’s failure to comply with the Order to Remedy and that the Board of Trustees of the Village of Victory requests the consent of the Saratoga County District Attorney for said criminal proceeding to be prosecuted by the aforementioned attorneys and that the Mayor, Clerk/Treasurer of the Village of Victory are hereby authorized to take appropriate steps and to prepare and file all appropriate forms and statements in order to carry out the purposes of this resolution. **A motion was made by Mayor Dewey and seconded by Trustee Healy that this resolution regarding proceedings for 14 Pine Street, Madeleine Richmond-Veal, be deemed effective as of the 8th day of August, 2017. All in favor – aye. Motion passed.**

1. **Culvert replacement**: Resident on corner of Bridge St and Gates Avenue wants village approval to do work. The owner was not present at the meeting, but DPW Foreman Lloyd left, therefore we don’t have any details or information for discussion. This will need to be tabled for a future meeting.
2. **Sidewalk Project**
   * Draft specifications were emailed to the village board for review
   * The draft specifications are pending approval by the village board before getting quotes
   * Special meeting needed to award project? Next village board meeting 9/12/2017

It was determined that the Board had approved the specifications that were emailed for review. It was noted there was not a need to re-advertise, just send the information out to all that have shown an interest and bid for past sidewalk projects. It was determined that bids would be due at the Clerk’s Office by 5:00pm on Tuesday, August 29, 2017, and all bids opened at 6:00pm on Tuesday, August 29, 2017. The project must be completed no later than October 16, 2017. It was also determined that the contractor would work under Mayor Dewey’s direction.

1. **QUOTES: Tree Removal/Trimming**/several locations
   * Richard Sears $2,375.00
   * Adirondack Tree Surgeons, Inc. $3,700.00
   * County contract pricing through Adirondack Tree Surgeons, Inc.

Trees that were discussed were located at #86 Gates Avenue, 13 and 15 Jay Street. There was a discussion in regard to #86 Gates Avenue. Trustee Sullivan feels that the two locust trees are healthy and do not need immediate attention and should not be taken down especially on the main street of the village. Mayor Dewey agreed that the trees are no immediate danger and a letter will be sent stating the Village has no funds at this time. It was determined that a letter will be sent to the two residents on Jay Street that they will be responsible to pay for half of the trim work and/or removal of the trees in question. As for the Pine Street tree issue regarding removing dead sections, it was determined that we should get a quote for the total removal of the tree. Presently, if the village DPW can reach with a tree branch trimmer, they should remove the overhanging branches.

1. **Support Letter**: A letter of support was sent for the Champlain Canal Region Gateway Visitors Center Grant.
2. **Adirondack Trust Insurance**:
   * A review of the village general liability policy was done and a quote was received on changing the property deductible from $500.00 to $1,000.00. The policy change would save the village $199.00.
   * Information received on the NYS Paid Family Leave Benefit beginning January 1, 2018. Although mandatory for private sector employees, public employees could opt in. The premium is maxed at either 0.126% of the employees wage or at $1,305.92. The deduction is through payroll deduction and factored into the Disability Policy at renewal (December). General guidelines have been provided.
   * Sample Local Law outlining sidewalk maintenance responsibility.

**A motion was made by Mayor Dewey and seconded by Trustee Healy to raise the deductible from $500 to $1,000 which will save the village $199.00. All in favor – aye. Motion passed.**

1. **Software Discussion for General Ledger, Payroll, Tax Collection and Sewer Utility.** Clerk Lewsey gave the board an overview of the problems she has been encountering with the present general ledger software and the lack of support she is receiving. A web demo and quote was provided by Williamson. Clerk/Treasurer Lewsey to get more quotes in order to consider changing software.
2. **Sidewalk Maintenance Law.** This has been tabled for further review. At this time Trustee Sullivan asked about the Public Nuisance Law. Mayor Dewey said the board should revisit this until attorney Catalfimo can be consulted as to the status.

**Other business:** Family Leave Act. A response is due by September. **A motion was made by Trustee Sullivan and seconded by Mayor Dewey to opt out of the Family Leave Act for village employees. All in favor – aye. Motion passed.**

**Open Floor: None**

**Audit Claims**:

* Abstract # 3 – AUGUST 2017
  + General Fund $21,842.98 (reflecting the addition of $54.00 spoken about earlier in the meeting).
  + Sewer Fund $ 1,801.95

**A motion was made by Trustee Healy and seconded by Mayor Dewey to accept Abstract #3 as submitted. All in favor – aye. Motion passed.**

**Executive Session**:

* Enter into executive session to discuss pending litigation matter (Village of Schuylerville). **A motion was made by Trustee Healy and seconded by Mayor Dewey to enter into Executive Session. All in favor – aye. Motion passed.**

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

**Outcome of the Executive session was for Mayor Dewey to be the representative for the Village Board at the meeting be held Monday, August 14, 2017.**

**UPCOMING VILLAGE BOARD MEETINGS**:

* Next Monthly Meeting:
  + 3rd Tuesday, SEPTEMBER 19, 2017 ~ 7:00pm (rescheduled from 2nd Tuesday)

**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 Bielkieiwicz**

**Recording Secretary**