

Village of Cleveland Regular Board Meeting December 2, 2008

PRESENT: Mayor Malchoff Davis, Trustee Norm Youmans, Trustee Joe Domachowske, Trustee Debbie Kite, DPW Superintendent Doug Riggs, Joseph Carr, John & Joni Hinds, Fire Chief David Hinds, Elwood Engelbrekt, Paul Baxter of the Tug Hill Commission.

ABSENT: Trustee Kevin Gribbon

CALLED TO ORDER: by Mayor Davis at 7:30 pm with the Pledge of Allegiance.

APPROVAL OF MINUTES: Mayor Davis made motion to approve minutes for 11/6/08 Board Meeting, second by Trustee Domachowske, all in favor, motion carried. Mayor Davis made motion to approve minutes for 11/13/08 Work Meeting, second by Trustee Kite, all in favor, motion carried.

FISCAL ADVISOR REPORTS: Mayor Davis made motion to approve the financial report from Oct. 31, 2008, seconded by Trustee Kite, all in favor, motion carried.

ADDITIONS TO BILLS: Mayor made motion to approve additions to Abstract #6 vouchers # 317-318, second by Trustee Youmans, all in favor, motion carried.

PAY BILLS Abstract #7: Mayor made motion to approve Abstract # 7, vouchers # 319-346 with changes as stated for Home Depot and STS Trailer & Truck Equipment, seconded by Trustee Domachowske, all in favor, motion carried.

TRUSTEE GRIBBON'S RESIGNATION: Mayor Davis read letter dated Dec. 1, 2008 from Trustee Gribbon asking the Village Board to be advised that his resignation as Village Trustee would be effective immediately. Mayor Davis made motion to prepare a check for Mr. Gribbon that will include his service from July 2008 - November 2008 second by Trustee Youmans, all in favor.

OFFICIAL UNDERTAKING: Mayor made motion to approve the changes made to the Official Undertaking that was originally presented and approved on September 9, 2008, seconded by Trustee Domachowske. Below is the portion of the resolution that presented changes.

This undertaking of the Village Officers is further conditioned upon that he/she/they will well and truly keep, pay over and account for all moneys and property, including any special district funds, belonging to the Village and coming into their hands as such *Mayor, Deputy Mayor/Trustee, Village Clerk/Treasurer, Trustee/Additional Signer, Department of Public Works Superintendent.*

The Village of Cleveland does and shall maintain insurance coverage, presently with The NGM Insurance Company as the insurance company and Cronk Agency, Inc. as the insurance agent in the sum of \$100,000.00 for Crime Bond limits less a deductible of \$250.00 to indemnify against losses through the failure of the officers, clerks and employees covered thereunder faithfully to perform their duties or to account properly for all monies or property received by virtue of their positions or employment, and through fraudulent or dishonest acts committed by the officers, clerks and employees covered there under... Limits for the additional signers of elected personnel, which include the Deputy Mayor and a Trustee, are covered under the basic Crime Bond Limits of \$100,000.00.

The following vote was taken and recorded:

Davis- Yes, Domachowse- Yes, Kite- yes, Youmans- Yes, Gribbon- Absent

The resolution was thereupon declared duly adopted.

HUMANE ASSOCIATION: Mayor made motion to approve the yearly Stray Canine Agreement between the Humane Society and the Village of Cleveland. This agreement has been signed for many years. For the sum of \$125.00 per canine they agree to provide for the shelter, care, feeding and disposition of all stray canines delivered to them by the Dog Control Officer of the Village, second by Trustee Youmans, all in favor.

CODE ENFORCEMENT:

1. Mayor read monthly report: 1 permit for storage bldgs., 22 field inspections, 2 complaints, 31.1 in Village miles, \$51.20 fees collected.
2. Junk Car Control Law was already updated to allow Code Officer to enforce law on 10/3/2000.

FIRE DEPARTMENT:

1. Fire Chief David Hinds read fire alarm report.
2. Mayor made motion to approve the proposed Fire Protection Agreement between the Town of Vienna and the Village of Cleveland on the recommendation from Fire Chief David Hinds, Fire Coordinator John Hinds and the Attorney retained by the Cleveland Fire Dept., Second by Trustee Kite, all in favor.
3. John Hinds asked that Trustee Kite, Mayor Davis, Clerk Sweeten and DPW Super. Doug Riggs set a meeting with himself and the county to prepare a permanent emergency plan for the Village.
4. Fire Chief David Hinds requested approval to put the Fire Dept's 1994 Freightliner Pumper up for bid. It should be replaced every 10 years to avoid further maintenance problems. It was appraised last year and should have a minimum bid placed with the ad for \$40,000. The Town of Horseheads expressed great interest in it and is eagerly awaiting for it to go to bid. Mayor made motion to approve the bidding process, second by Trustee Kite, all in favor.

SPIRIT COMMITTEE: Joni Hinds reported that the Park Lighting was well attended. All seemed to enjoy the festivities. A Christmas home-decorating contest is planned for December. Applications may be picked up at the village Hall and some businesses in the Village. There will be no Committee meeting in December. A winter festival on February Feb 14th is planned along with a chili cook-off, winter activities and a Valentines Dinner Dance.

MEMORIAL PARK Rules & Regulations: Trustee Kite is working on a draft for the rules. A meeting is being planned with the president of the girls softball league, the Legion and league captains. DPW Superintendent Doug Riggs will change the locks on the bathroom doors at the park per Board request.

WATER/SEWER: Elwood Engelbrekt would like water and sewer connections to his property at 103 Center Street and was given approval at the last board meeting if certain criteria were met including a certificate of occupancy if he is planning on using the renovation as rental property or living establishment. Mr. Engelbrekt asked if all was set for installation. Mayor stated that after reviewing the Village Land Use Ordinance and the NYS Uniform Fire Prevention & Building Code Law there may be some violations that need to be addressed. He and Code Enforcement Officer plan on meeting with Attorney Allison Nelson next week to discuss these possible violations. When adding a bathroom it is considered remodeling and will require a building permit. Mr. Engelbrekt was told to contact the Code Officer for a building permit and asked for a copy of the two laws being quoted from.

JONI HINDS, along with others, are concerned over the furniture that is sitting out at the curbs disrupting the pleasant look of the Village. Charging homeowners for removal may be an option.

PAUL BAXTER-TUG HILL COMMISSION: Mayor recommends all trustees attend the Local Government Workshop in March 2009 sponsored by the Tug Hill Commission. Mr. Baxter informed the Board that he could also teach freestanding workshops. The Village also agreed to host a NORCOG meeting in the New Year specifically on Tuesday October 27, 2009. The time is usually 4-6 pm with a show case tour ahead of time. Mr. Baxter was thanked for his efforts to post the Village Board meeting minutes on the Village web site. The Board agreed that the minutes may be posted on the web site before they are approved.

WORK MEETING: A work meeting was proposed for December 16, 2008 at 7:00pm to continue to update the Sewer Law.

LOGGING IN VILLAGE: Mayor has been reviewing the Land Use Ordinance regarding logging within the Village limits. There are a lot of wooded lots in the Village. Excessive logging can destroy the

Village's uniqueness. Specific laws are needed including a no cost permit and adjacent homeowners approval to protect neighbors. DEC erosion control was brought up - they have been contacted. There has been some logging on property at the East End of the Village. There were some violations regarding the use of the recreation trail for removal of logs. Mayor will continue to look into the situation. Paul Baxter added that the Tug Hill Commission did workshops with control of logging within Villages and Towns. He will look for the information.

LWRP: was briefly discussed. Paul Baxter will check with Tug Hill regarding our situation with the LWRP grants. There are other grants available also : Main Street Grants, Safer Routes for Schools Grants. Paul suggested that the Village determine needs for sidewalks ahead of time to be prepared when grants become available.

TRUSTEE YOUMANS questioned if the position for Trustee should be advertised. Paul Baxter will post on the Village website. This will be discussed further at the work meeting.

WORKERS COMP: to be discussed further with Fire Chief Dave Hinds

TANK PAINTING: Funds will need to be secured for the completion of the wastewater tank-painting project.

SENIOR HOUSING PROJECT: State Funds are not available at this time. Everything is on hold.

IMPORTANT DATES:

- Work Meeting scheduled for 12/16/08
- Village Employee/Board Member party 12/19/08 6:30 pm
- Next regular Board Meeting 1/6/09, 7:30 at Village Hall

MEETING ADJOURNED: Mayor Davis made motion to adjourn, second by Trustee Kite, all in favor

Recorded and Submitted by Phyllis Sweeten, Clerk-Treasurer 12/12/08.