

PRESENT: Mayor Malchoff Davis, Trustee Norm Youmans, Trustee Joseph Carr, and Trustee Debbie Kite

ABSENT: Trustee Joe Domachowske,

CALLED TO ORDER: by Mayor Davis at 7:00 pm.

Mayor Davis addressed the Board with the following comments:

This special emergency meeting was called to modify the resolution previously passed on 10/13/09 that would allow the Village to accept the dedication of a three-inch water main on the west-end of the Village once it has been installed. The DOT rejected the previous resolution because one section gave the Village a choice to accept the line, or not, after it was installed. If the choice were made to reject it, they would be left with a non-functional line. This would not be acceptable to the DOT. The old line needs to be replaced immediately; major problems are imminent. The contractor is ready to start the project as soon as DOT gives them the OK. The project could be complete in about 3 weeks. Some of the residents have already had their laterals installed. The DOT has also requested a letter of approval for this project from the Town of Constantia. Attorney Buchan is in the process of facilitating all loose ends.

Mayor Davis made the following resolution to rescind the previous resolution made on 10/13/09 and adopt a new resolution dated 11/17/09 as follows:

RESOLUTION

AUTHORIZING THE MAYOR TO EXECUTE WATER SUPPLY CONTRACTS WITH 22 RESIDENTIAL USERS OUTSIDE THE VILLAGE OF CLEVELAND AND TO ACCEPT DEDICATION OF A THREE INCH RELACEMENT WATER MAIN

WHEREAS, the Village of Cleveland ("Village") has for many years supplied water to homeowners located along State Route 49 on the Village's western border with the Town of Constantia; and

WHEREAS, the water main outside the Village is a private two inch line that is in such poor condition that it is believed to be leaking substantial volumes of water prompting the Village to require that it be replaced by the homeowners it is currently serving; and

WHEREAS, each of the current users of the private line together with the owners of four additional parcels located at the end of the line have agreed to enter into individual water supply contracts with the Village of Cleveland which provide for the owners to pay for replacement of the existing line with a new three inch HDPE water line to be located in the New York State Highway right of way contiguous to Route 49 and upon completion of the project including final approvals by involved regulatory agencies and the Village, ownership of the line will be transferred to the Village; and

NOW, THEREFORE, BE IT RESOLVED, that the Village of Cleveland Board of Trustees hereby authorizes and directs the Mayor to execute water supply agreements with private homeowners outside the Village in substantially the same form as is on file with the Clerk.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

The motion was made by Mayor Davis, seconded by Trustee Kite, and passed unanimously as follows: Davis-Yes, Youmans-yes, Kite-yes, Carr-Yes.

DATED: November 17, 2009

IMPORTANT DATES:

- Work Meeting: November 24, 2009 at 7:00pm at the Village Hall
- Regular Board Meeting December 8, 2009 at 7:30 at the Village Hall.

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

Recorded and Submitted by Phyllis Sweeten, Clerk-Treasurer on 11/18/09