

**Village of Cleveland Board Meeting /Public Hearing April 13, 2010**

PRESENT: Mayor Malchoff J. Davis, Trustee Debbie Kite, Trustee Joseph Carr, Trustee Joe Domachowske, Trustee Norm Youmans, DPW Superintendent Doug Riggs, Town Supervisor Chuck Gilkey, Fire Chief Joni Hinds, County Legislator Ron Sakonyi, Clyde Lewis, Elwood Engelbrekt, Cathy Kline, Bonnie McCollough Marie Taskey, Matt Martin, Fred Gustina, Rick Shaughnessy, Joe Mazi, Dan Swistak, Ben Swistak, Thomas Swistak, Mark kirkhoff, Paul Baxter-Tug Hill Commission and several other Boy Scouts and their leaders and parents.

CALLED TO ORDER: by Mayor Davis at 7:00 pm with the Pledge of Allegiance.

OPEN PUBLIC HEARING: Mayor Davis opened public hearing in regards to the revised and updated proposed Local Law No. 1 of 2010, a local law regulating the use of public and private sewers and drains, private sewage disposal, installation and connection of building laterals, and the discharge of waters and wastes into the public sewer system: and providing penalties for violation thereof: in the Village of Cleveland

Board and Public Comments:

- Mayor stated that this new law was mainly revised to cover new State laws and requirements regarding chemical and health standards. The new law was combined with the old one. There are no cost changes. The method of billing was updated; there will be a \$25.00 non-refundable processing fee charged to customers who receive a shut-off notice, and an additional \$25.00 water turn on charge will be applied to the delinquent account if water is shut off. There are minor changes in the classification section; an example is a reduction for Laundromats, they are now charged one unit for 4 machines instead of 3 machines and outside users are now classified as 10% more than inside users. Outside users have always paid more to help pay the cost of Operation and Maintenance. When finished, the townhouse's sewer line will be dedicated to the Village. Nothing will be added to the burden of Village taxpayers.
- Bonnie McCollough asked if the sewers were in good shape. Mayor stated that they were in good shape and financially the fund is about even right now. Any extra funds will be placed in a reserve.
- Joe Mazi asked if sewers would be expanded to Gail Rd. Doug Riggs stated that sewers are on Gail Rd.
- Mayor stated that our sewer system is underutilized.
- Trustee Youmans added that the Village likes to sell water and sewer. Anyone who has asked for water or sewer has not been turned down during this administration. The townhouses will pay all of their own expenses before hooking into our line then it will be dedicated to the Village.
- No other comments were made.

CLOSE PUBLIC HEARING: Mayor made motion to close Public Hearing, second by Trustee Kite, all in favor.

OPEN BOARD MEETING: Mayor made motion to open Board Meeting, second by Trustee Carr, all in favor.

APPROVAL OF SEWER LAW: Mayor Davis made a motion to approve the proposed Local Law No. 1 of 2010, a local law regulating the use of public and private sewers and drains, private sewage disposal, installation and connection of building laterals, and the discharge of waters and wastes into the public sewer system: and providing penalties for violation thereof: in the Village of Cleveland, second by Trustee Youmans, all in favor.

BOY SCOUT PRESENTATION: To fulfill requirements for their Citizenship Merit Badge, Josh Williams, Tom Sterling and Noah Hillenbrand presented to the Board of Trustees a brief history of the Village and it's water system. The Water System Upgrade that the Village residents will be voting on in April was the topic of their presentation. Some of the upgrades will include installing a new backup well, a new backup generator, replacing approx. 5000 feet of older smaller water mains on Center, Bridge and Sand Street, install a new telemetry system, installing a safety climb system on the water storage tank, improvements to water treatment building, repair and repaint water storage tank. Their presentation was very informative and the Mayor thanked and complimented them on doing a swell job.

APPROVAL OF MINUTES: Mayor Davis made motion to approve minutes for 3/9/10 Board Meeting, second by Trustee Carr, Trustee Kite abstained, all others in favor, motion carried.

Mayor Davis made motion to approve minutes for 3/23/10 second by Trustee Carr, Trustee Domakowske

abstained, all others in favor, motion carried.

The facts that were presented at the public hearing regarding the grant for the water upgrade was an estimate not a promise. Since then Rural Development informed the Village that the grant has been reduced by \$100,000 and the interest rate raised from 2 3/8 % to 2 1/2 %. This will effect the EDU amount and increase by an additional \$10. per year. This is still the best deal and cheapest way to proceed with the needed upgrades. Gas is going up driving the increased cost of painting.

**FISCAL ADVISOR REPORTS:** Mayor Davis made motion to approve the Fiscal Reports from 2/28/10, second by Trustee Carr, all in favor. Trustee Domachowske reviewed and read his financial reconciliation. No problems were found.

**ADDITIONS TO Abstract:** Mayor made motion to approve the additions to abstract # 10 vouchers # 489-490, second by Trustee Youmans, all in favor.

**PAY BILLS Abstract # 11:** Mayor made motion to approve Abstract # 11 vouchers # 491-538, seconded by Trustee Carr, all in favor. Items questioned: \$145.68 Vet Services were for euthanasia and cremation of a dog from the Village as per contract with the Dog Control Officer, \$6581.17 for gear lockers purchased by the Fire Dept., \$2400 to the Fire Company each month for rental of the building to house the Village owned Fire Trucks and equipment.

**CODE ENFORCEMENT:** Mayor read monthly report. This report covers 3/1/10—3/31/10: Field Inspections-12, 5 Complaints, Mileage - 18.6 miles, \$216.00 Fees Collected. Trustee Domachowske will meet with Code Officer to discuss the revision of the Junk Car Law.

#### **FIRE DEPARTMENT:**

1. Fire Chief Joni Hinds read Annual Report for 2009-10.
2. Budget Amendment: Mayor made motion to approve budget amendment to add \$232. to Equipment Fund A3410.2 due to an increase in Fire Protection Contract with Town of Constantia, second by Trustee Kite, all in favor.
3. Mayor made motion to approve the Fire Department's new line officers; Chief-Joni Hinds, Deputy Chief-Jack Cottet, Assistant Chief-John Hinds, Sr. Captain-Robert Glahn, Jr. Captain-Paul Cote', 1<sup>st</sup> Lieutenant-Zacharia Avery, 2<sup>nd</sup> Lieutenant-Michael Pettit, second by Trustee Carr, all in favor.

**SPIRIT COMMITTEE:** Joni Hinds gave update: April 24, 2010 will be the Village wide Clean-up Day –meet at Memorial Park at 9:00 am. Refreshments and garbage bags will be provided. Joas Pizza will be offering a pizza certificate to any child that participates. The committee will be sponsoring a Cleveland Community Market Day once a month on the 4<sup>th</sup> Thursday in June, July, Aug, and Sept. The next meeting will be held on May 4<sup>th</sup> at 7:00pm at the Village Hall.

**VILLAGE GENERAL ELECTION:** Mayor Davis put forth resolution identifying that the Village Hall on 2 Clay Street will be the polling place for the Village General Election on Tuesday June 15<sup>th</sup> 2010 from 12-9 pm. The positions available are: Mayor-2 year term and (two) Trustee-2 year terms, second by Trustee Youmans, all in favor.

#### **ELECTION INSPECTORS:**

1. Mayor made motion to approve Ruth Dewitt and Lenore Domachowske as Election Inspectors for the upcoming referendum regarding the Water System Upgrade on April 27<sup>th</sup> 2010 from 12-9 pm. Each Inspector will be paid \$80.00 for poll coverage from 12-9 pm and is required to arrive no later than 11:30 am and to perform all duties and undertakings in relation thereto as prescribed by the Village Law and Election Law, second by Trustee Kite, all in favor.
2. Mayor made motion to approve Ruth Dewitt and Kay Foster as Election Inspectors for the upcoming General Election on June 15<sup>th</sup> 2010 from 12-9 pm. Each Inspector will be paid \$80.00 for poll coverage from 12-9 pm and is required to arrive no later than 11:30 am and to perform all duties and undertakings in relation thereto as prescribed by the Village Law and Election Law, second by Trustee Carr, all in favor.

**BUDGET:** The budget process is near completion. There will be a work meeting held on Thursday April 22<sup>nd</sup>

2010 at 7:00pm to finalize the preliminary budget to be presented at a public hearing on Tuesday May 11<sup>th</sup> 2010 at 7:00 pm prior to the regular Board Meeting at 7:30 pm.

**CLEAN UP WEEK:** The Board determined that they would offer a Village wide clean-up day for another year. Pick up will be as in the past, but will be evaluated in the future. There will be more cost to the Village, as the Landfill will be charging extra for televisions and electronic equipment.

“The Village of Cleveland will have the annual clean-up day on May 3<sup>rd</sup>. All items for pick up must be at the curb by 6 a.m. on May 3<sup>rd</sup>. Items put out after that may not be picked up. Each street will be picked up only once, no exceptions. The following items will be picked up: Appliances, sofas and stuffed furniture, mattresses, scrap metal, wheels with tires removed and brush. The following WILL NOT be picked up: Tires, demolition materials, solid wood furniture, plastic, roofing shingles, sealed containers, hazardous materials, anything in trash bags or anything that the regular trash collector would take.”

**BOY SCOUT EAGLE PROJECT:** Boy Scout Matt Martin and Project advisor Fred Gustina presented new plans to the Board regarding the previously approved Eagle Scout Project to place a flag pole at the new Village Hall. They presented pictures and stated that the 25 ft. pole would be made out of steel and pressure treated wood. Materials will be purchased locally at Vella’s Do It Best Hardware Store. The cost is approx \$650. Trustee Youmans feels a complete layout plan of the area in front of the Village Hall should be in place before determining where the pole should go. Mayor would like the Board to review and decide where they want the pole placed and if a maintenance free pole should be considered. The Board will try to have an answer by the April 22<sup>nd</sup> Work Meeting.

**PUBLIC COMMENTS:**

- Marie Taskey: Asked that tree debris on Caswell Street be cleaned up, railing missing, if anything can be done about the smell from drying beds in the summer. Doug Riggs responded that the wood and railing will be taken care of and that the smell is coming from the raw sewage at the plant, not the drying beds.

- Rick Shaughnessy: Rick was contacted by the Mayor informing him that his water is hooked into the 2” line and that the line is leaking and needs to be turned off as soon as possible. Rick is willing to let water be shut off temporarily as long as he is assured of having water. After discussing the history of the problem and addressing ways of rectifying the problem, it was determined that Rick, whose property is in the Village, would only be charged a \$300. tap fee and according to the Village Law, the Mayor doesn’t agree. Mayor Davis made a motion that once the 2” water line is turned off, the Village will provide water supply within 60 days to Mr. Shaughnessy’s home, second by Trustee Carr, vote: Davis-yes, Kite-yes, Carr-yes, Domachowske-yes, Youmans-no (doesn’t like time limit). Motion carried.

- Legislature Ron Sakonyi: Informed the board of current legislation in the county, including winds mills, closing of some State Parks, the new radio system and the State wide ban on burning between 3/15/10 and 5/15/10. The 24-hour hot line is: 877-457-5680.

- Trustee Youmans: He would like trashcans placed at the park on North Street for a trial period. No one agreed due to past problems with dumping.

- Paul Baxter: Supercog Meeting will be held on 5/6/10. Asked that a wish list from the Village pertaining to a disaster (generator, etc) be presented at the meeting.

**IMPORTANT DATES:** Work Meeting: April 22, 2010 7:00pm

Water System Upgrade Referendum April 27<sup>th</sup> 2010 12-9 pm, Village Hall.

Public Hearing (Budget)/ Regular Board Meeting: May 11, 2010 at 7:00/7:30pm.

**MEETING ADJOURNED:** Mayor made motion to adjourn at 9:15 pm, second by Trustee Kite, all in favor.

Recorded and Submitted by Phyllis Sweeten, Clerk-Treasurer on 4/22/2010.