

PRESENT: Mayor Malchoff Davis, Trustee Debbie Kite, Trustee Joseph Carr, Trustee Norm Youmans, DPW Superintendent Doug Riggs, Attorney Allison Nelson, Attorney William Buchan, Joseph Vella, Lance Vella, Jack Ryan, Nancy & Richard James, Ed Simanowski, Irv Looock, Joe Mazi, Doug Jordan.

Absent: Trustee Joe Domachowske

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

WEST-END WATER LINE:

Mayor Davis opened the meeting and welcomed the homeowners connected to the new 3" water line at the west-end of the Village. He called this meeting to explain that the DOT and Health Dept. approved this line to be installed only with the understanding that the Village would own the line. Once turned over, the Village would treat it the same as any other water line in the Village. The Village is not obligated to do any maintenance until the line is turned over. It is the Board's understanding that there is one homeowner that has not signed the Bill of Sale; this, if signed, along with those who have signed, would allow the official dedication of the line to the Village.

Attorney William Buchan: Mr. Buchan is Council for the homeowners on the new 3" water line. He agrees with the Mayor, however, there have been mixed messages with his clients. Some are worried that the three homeowners that chose not to connect to the new 3" water line will change their mind once the line is dedicated to the Village. The homeowners connected to the line paid out of pocket expenses of \$3100 each and fear that the Village will sell water to the other three homeowners, which is legal, and have no way to recover the expense that would have been charged to them had they connected when everyone else did. Mr. Buchan stated that it came to his attention that the incoming administration has other thoughts of how the 3 homeowners will 'pay back' the current homeowners on the line if they choose to hook up in the future.

Attorney Allison Nelson: Ms. Nelson is not aware of a mechanism which municipalities could collect from these people and pay back the current homeowners. How would a debt service be set up? A water district was suggested.

Attorney Buchan: His clients are not interested in forming a water district. The question is of equity and fairness. He asked the new administration if they would be interested in coming up with a new mechanism tonight, to support a different position.

Trustee Kite: From the beginning of the project it was understood that everyone would turn over the line when completed. She was never under the impression there was an issue with others buying water later. She asked Mr. Buchan who on the 'incoming administration' gave the impression that there would be 'ways' to pay these people back if water was sold later. Mr. Buchan could not reveal that information.

Trustee Carr: Everyone knew what was going on...using the 'New Board' stall-tactic is very underhanded.

Mayor Davis: Feels this is a travesty to have waited to this point.

Trustee Youmans: Disagreed with the Board stating no one really understood exactly what was going on.

Irvin Looock: Stated that he was the one that did not sign the Bill of Sale. He will not sign it until some provision is made to prevent these 3 people from hooking into the 3" water line unless they pay those currently on the line for their portion.

Mr. Buchan: Said there would be no reimbursement and asked for other thoughts. He suggested another remedy asking the Board for a motion refusing to sell water to the (3) homeowners not currently connected to the line. Trustee Youmans agreed to make the motion.

Attorney Nelson suggested that the Board and she adjourn briefly to another room to discuss this issue.

When the Board returned to the meeting, Trustee Kite presented their offer to the homeowners stating they would agree to not sell water to (2) of the residents for (2) years unless the property changed hands. One of the homeowners (Donald Robbins) opted out right from the beginning and the Board feels he shouldn't be included in this agreement. Mr. Looock was not pleased stating he would need time to consider the offer.

Doug Riggs: Mr. Riggs reminded the Board that the back flow preventer (cross contamination) was taken out of the plans because it was not necessary if the line was to be turned over to the Village. The Health Dept would pull the permit for the line if it remains a private line. The water to the line would then be shut-off. The Village Attorney agreed stating that Mr. Riggs has a responsibility to the Village.

Irv Looock: Mr. Looock eventually agreed to sign the bill of sale if the Board agreed to wait for 2 years to sell water to the (2) residents not currently on the line, but he still feels it is not fair.

Trustee Kite made a motion that the Village will not allow owners Samuel Flatt Tax Map # 312.15-01-18.000 or Frank McCarthy Tax Map # 312.15-01-19.010

to hook into the 3" water line on State Route 49 for the next (2) two years. However if there is a change of ownership for either property the Village can allow the new owner to hook into the 3" water line, second by Mayor Davis, vote as follow: Davis- yes, Youmans- yes, Kite- yes, Carr- no, motion carried.

Attorney Nelson announced that Mr. Looock did sign the Bill of Sale and the Bill of Sale has been turned over to the Village. Mayor Davis stated that since all owners have signed the Bill of Sale for the dedication of the 3" water line to the Village of Cleveland, he offers a motion to accept the 3" water line, second by Trustee Youmans, all in favor, motion carried.

END OF YEAR BUDGET TRANSFERS AND AMENDMENTS:

1. Mayor Davis made a motion to move \$8525.43 from the Capital Fund to Sewer Fund, second by Trustee Kite, all in favor, motion carried. (left over funds from tank painting project in capital fund)
2. Mayor Davis made a motion to move \$32,802.29 from fund balance to A5110.1 to cover the deficit in the general fund, second by Trustee Kite, all in favor, motion carried. (part of this will be returned to the fund upon receipt of Tax Relevies from the County).
3. Mayor Davis made a motion to approve the budget transfers as recommended by the Village Accountant and Clerk/Treasurer and as presented to the Board:
General: Transfer \$22,365.28 from and to various codes as presented.
Water: Transfer \$10,455.59 from and to various codes as presented
Sewer: Transfer \$4613.55 from and to various codes as presented,
second by Trustee Kite, all in favor, motion carried.

PARKS & REC: In the past, the Village contracted through Oswego County Youth Works for 3-4 Youth Counselors for the summer Parks and Rec program. The costs for these Counselors are paid through grants that the County receives. Due to State budget cuts the County will only be allowing the Village to receive one counselor through their program this summer. In order for the Village Park Program to resume this summer the Village will need to hire two counselors. The Board agreed to allow the program to continue. Trustee Youmans made a motion to set aside \$2610. needed to hire two counselors for the Summer Parks & Rec Program for 6 weeks, second by Trustee Kite, all in favor, motion carried. The Board also agreed to pay the discounted price of \$87.50 for entertainment provided through Oswego County for the Park's Program and will be available to all Village residents who wish to attend.

ADDITIONS TO ABSTRACT: Mayor made motion to approve addition to Abstract #1 voucher # 46 second by Trustee Kite, all in favor. This addition is to supply Parks and Rec. with petty cash to start the program.

APPROVAL OF MINUTES: Mayor Davis made motion to approve minutes from June 8, 2010 Board Meeting, second by Trustee Carr, all in favor, motion carried.

NATIONAL GRID AND TIME WARNER CONTRACTS: were given to the Village Attorney for review.

MPORTANT DATES: Next regular Board Meeting: July 13, 2010 at 7:30pm at Village Hall.

MEETING ADJOURNED: Trustee Kite made motion to adjourn at 9:50 p.m., second by Trustee Carr, all in favor, motion carried. Recorded and Submitted by Phyllis Sweeten, Clerk-Treasurer on 7/1/10.