

PRESENT: Mayor Norman Youmans, Trustees Deborah Kite, John Hinds, Laureen Tackman and Joseph Domachowske, Town Supervisor Chuck Gilkey, Paul Baxter-Tug Hill Commission, Attorney William Buchan and several Village residents.

CALL TO ORDER by Mayor Youmans at 6:30 pm with Pledge of Allegiance

PAUL BAXTER-TUG HILL COMMISSION: The Regional Economic Development Council is a “new operating model for NYS government to stimulate regional economic development”. The Tug Hill Commission will help develop, support and achieve common economic objectives by asking local Council of Governments and communities for their input as to how they would like the Commission to best serve the communities. Paul gave the Mayor a revised building permit schedule from the Town of Constantia. The Village website will soon feature a community calendar.

TOWNHOUSE SEWER LINE: The Mayor and John Hinds met with Attorney Buchan and the contractor on July 29th at which time the mayor signed the DOT permit for work to commence on the townhouse sewer line. However, the DOT requires Bonds-proof of insurance, and a resolution by the village indicating it plans to take ownership of the sewer line. The resolution also states that the Village agrees to be made co-permittee on the DOT permit and 2 sewer contracts will be approved for property owners who have contributed funds to extend the sewer line to serve their property.

The Mayor put forth the following resolution, seconded by Trustee Domachowske, all in favor.

WHEREAS, the Village of Cleveland ("Village") provides sewers and wastewater treatment to Village residents as well as homeowners located outside the Village; and

WHEREAS, the Village entered into a Sewer Use Agreement ("Agreement") dated December 3, 2009 with Mr. Jeffrey Ballagh ("Owner") to provide sewer service to a seven unit Townhome located at 299 State Route 49, Cleveland New York 13032, better known as tax parcel # 312.16-01.05; and

WHEREAS, the Agreement provides that the Owner shall construct a new two inch HDPE sewer 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

WHEREAS, two property owners located west of the townhome development, Messrs. Argulski and Ryan, have contributed funds to extend development of the sewer main an additional 300 feet to serve their properties.

NOW, THEREFORE, BE IT RESOLVED, that the Village of Cleveland Board of Trustees hereby authorizes and directs the Mayor to execute a NYSDOT application for a highway work permit (as co-permittee) authorizing Owner's contractor to perform sewer installation work in the Route 49 Highway Right of Way; and

BE IT FURTHER RESOLVED, that the Village of Cleveland Board of Trustees hereby agrees to accept ownership of the new sewer line provided all of the terms of the Agreement have been complied with and the Village DPW Superintendent has approved the final installation; and

BE IT FURTHER RESOLVED, that the Village of Cleveland Board of Trustees hereby authorizes and directs the Mayor to execute Sewer Use Agreements with Messrs. Argulski and Ryan; and

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

Warranty Agreement: Mr. Buchan presented a Warranty Agreement for the water and sewer lines at the meeting on July 29th. Mayor Youmans and Trustee Hinds agreed it was acceptable and the Mayor signed the agreement at that time. Mr. Buchan stated that the warranty agreement would start at the time of completion. Mayor Youmans made a motion for the Board to approve the previously signed warranty agreement, second by Trustee Tackman, all in favor.

Billing the new sewer line customer: Each townhouse will have their own water meter. Mr. Buchan feels it would be best to bill each townhouse owner individually. The Village Board decided it would be best to send one bill to the homeowner's association for all seven units. Mr. Buchan informed the Board that (4) units are due to close this month. It was decided by the Village Board that upon closing of the (4) units, the homeowner's association will begin paying for water /sewer for those units. Each additional unit sold will be added to the bill at the time of closing. If within one year from this date the additional units are not sold the homeowner's association will begin paying for all (7) units regardless of ownership. The agent for the homeowner's association will inform the Village in writing with new owner information. The Village will then contact the new owner to complete necessary documents and collect fees. Individual agreements may need to be signed.

OCWA-SEQRA: Town Supervisor Chuck Gilkey presented a revised statement to the Village Board asking to be made lead agency for the purpose of fulfilling the SEQRA requirements relative to the proposed Bernhards Bay Water District Interconnection Project that would be located in the Town of Constantia, the Village of Cleveland and the Town of Vienna allowing OCWA to make their connection around Oneida Lake. Mayor Youmans will review the revised statement and discuss further at another time.

APPROVAL OF MINUTES: Mayor Youmans made a motion to approve the minutes from July 12, 2011 Board Meeting, second by Trustee Tackman, Trustee Domachowske abstained, all others in favor, motion carried. Mayor Youmans made a motion to approve the minutes from July 25, 2011 Work Meeting, second by Trustee Tackman, all in favor, motion carried.

FISCAL ADVISOR REPORTS: Mayor Youmans made a motion to approve the monthly financial report for June 30, 2011, second by Trustee Domachowske, all in favor. Trustee Domachowske audited the statements and found no discrepancies.

PAY BILLS: Mayor made a motion to pay bills on Abstract # 3 vouchers #105-151, second by Trustee Kite, all in favor. Bills discussed: Trustee Tackman questioned # 141 North Shore Electric – Mayor explained he is the electrician for the Village, # 138 Oneida Lake ready Mix was also discussed.

ANNUAL UPDATE DOCUMENT: The annual fiscal report for the comptroller's office has been prepared and can be reviewed at the Village Hall.

SENIOR CITIZEN CONTRACT: Mayor Youmans made a motion for the Village of Cleveland to contract with the Cleveland Senior Citizen Group for the sum of \$500.00. In exchange the Cleveland Senior Citizen Group will provide a dinner for the Cleveland Senior Citizens for the year 2011/12, Second by Trustee Tackman, all in favor.

HISTORICAL SOCIETY CONTRACT: Mayor Youmans made a motion for the Village of Cleveland to contract with the Cleveland Historical Society for the sum of \$500.00. In exchange the Cleveland Historical Society shall provide historical documentation as needed for the year 2011/12, Second by Trustee Kite, all in favor.

CODE ENFORCEMENT OFFICER:

1. Mayor Youmans read monthly report: 1 pool permit, 2 roof permits, 1 Field Inspection, Fees collected: \$200. Mayor put forth resolution to accept report, second by Trustee Tackman, all in favor.

2. The Mayor feels the Code Officer needs more time to complete his Code work and suggested that he take Thursday afternoons off from his DPW duties with pay. He stated that it was originally laid out to do most of his Code work while working for the Village. The Mayor said he will either be given the time off with pay or he will raise the salary for Code Enforcement. Trustee Kite and Hinds feels this is a personnel matter and should be discussed in an executive session at which time the matter was closed.

FIRE DEPT: Trustee Kite read monthly report. The Mayor complimented Chief Avery for the good job he is doing as the new Fire Chief. The Mayor made a motion to accept the Fire Chief's Monthly Report, second by Trustee Hinds, all in favor.

SPIRIT COMMITTEE UPDATE:

1. Joni Hinds presented an expense breakdown for costs relating to the Gazebo recently erected at Lakeview Park in Cleveland. The total cost to date is \$16,365.48. Through donations of time, materials, products and fundraisers all costs have been met. The gazebo will be dedicated to the Village at the 10-year Anniversary 9/11 Ceremony of Remembrance on Sept 11, 2011 starting at the Elementary School at 6:30 pm with a Silent Vigil going down State Route 49 to Lakeview Park. The Citizen Outlet will publish an extensive article regarding the history of the Gazebo in August. Joni thanked the Village, Town and County DPW crews for their cooperative efforts. The Mayor complimented the Spirit Committee for their efforts and also stated that the amount of money the Village paid for labor towards the gazebo is a small thing...sometimes these things need to be done. He rebuked those who have criticized the project and asked them to contact him (the Mayor) with their complaints. John Hinds feels that this project ties main street together as originally planned in the Local Water Revitalization Project. He complimented Kevin Gribbon and Sherry Kaderli for starting the 9/11 Memorial fund several years ago by donating their yearly Village Board wages.

The Village wide garage sale day will be on September 17th. Applications are available at the Village Hall.

2. The Mayor made a motion to approve and pay the vouchers presented from the 9/11 Memorial Fund in the amount of \$1100. for costs incurred by the Spirit Committee for the Gazebo, second by Trustee Kite, all in favor.

CLERK'S ITEMS: Regarding fuel oil spill: The homeowner did not forward the bills incurred by the Village to her insurance company as instructed by Environmental Resources Management, the company appointed by the homeowner's insurance company to oversee the clean-up project. The insurance has asked that the Village to send a copy of the bills directly to them for processing.

PUBLIC COMMENTS:

Mal Davis: 1. He understands the sewer line that will be installed at the West End of the Village, laying it is the easy part, but he is concerned with the manhole on the south side of 49 and possible complications. The mayor said that he met with the contractor and nothing will be done without Superintendent Doug Riggs' approval, he will be there before anything is done. 2. The Board started talking about fining the homeowner regarding the fuel oil spill in April. The sewer law provides for fines. 3. The sand filter needs to be done. Its tax payer money lying there. The Mayor stated that the village chose to do the sand filter themselves, it has been cleaned out and is a big job.

*Clyde Lewis:*1. Asked why No. Shore Ambulance is not scheduled to receive the yearly \$500 contractual funds as in the past. The Mayor explained that part of the Town Taxes already pays for the ambulance. It has a very large budget and no one knew what the \$500 was for. 2. Paving Village Streets? – The Mayor said he contacted the Town of Constantia Hwy Dept to see what their plans were for paving. The Village has approx \$60,000 in CHIPS funds- that should pave about a mile of road. He's not sure which roads will be paved. 3. Lights out on water tower: Mayor said the Village needs to hire someone that is skilled- fix it right and replace the light with a different light fixture, LED's last indefinitely.

Trustee Domachowska asked about the Cemetery sign. The Mayor said he is working on it. Trustee Hinds offered to help. He informed the Board that the Attorney is reviewing the property maint. law.

TRASH COLLECTION: Trustee Hinds has been looking into a Village wide trash collection service. Several municipalities in the county have trash collection for the community. The cost will be lower for those already paying for collection and for those who buy a dump permit, the Village roads will be free from the hazards of so many different haulers on the Village Roads, and yard trash may decrease. Once a decision has been made the Village will take bids from trash collectors and present it to the residents for their approval. Many issues will need to be reviewed.

EXECUTIVE SESSION: The Mayor made a motion to enter into an executive session, second by Trustee Kite, all in favor.

REGULAR MEETING: Mayor made motion to end Executive Session, second by Trustee Hinds and open Regular Board meeting, second by Trustee Tackman, all in favor.

IMPORTANT DATES:

Next regular Board Meeting: Tues. Sept 20, 2011 6:30 pm at Village Hall. (3rd Tues. due to primary election)

MEETING ADJOURNED: Mayor made motion to adjourn at 9:06 pm, seconded by Trustee Hinds, all in favor.

Submitted by Phyllis Sweeten/Clerk Treasurer 8/15/11