

PRESENT: Mayor Youmans, Trustees Debbie Kite, Joseph Domachowske, John Hinds and Laureen Tackman, Fire Chief Carl Avery, Malchoff Davis, Clyde Lewis, Cathy Kline, Anthony Williams, Sherry Kaderli, Joni Hinds, Dan, Ben and Thomas Swistak, Tom Mirizio, John Kane, Paul Baxter-Tug Hill Commission, Town Supervisor Chuck Gilkey, Engineer Mike Parker.

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

OPEN PUBLIC HEARING: Mayor Youmans opened the public hearing regarding proposed Local Law 1 of 2012, a local law to override the tax levy limit established in General Municipal Law.

Board and Public Comments:

- Mayor Youmans read a portion of a statement from NYCOM saying “A municipality may be concerned that, particularly in the first year of the tax cap law with many uncertainties surrounding its interpretation and implementation, there is very real potential for a local government to exceed the cap unintentionally, without the local law in place, this could result in the municipality, at some later date, having to set aside money in a reserve fund, the amount of which would depend on how long it takes for the inadvertent mistake to be discovered. Passing the local law should ‘protect’ the municipality if such a mistake occurs”. The Village Attorney supports this statement and stated “I agree that adopting a local law is a good safety measure. It doesn’t mean that the Village is going to exceed the cap but gives the option to do so legally as defined by General Municipal Law, Sec 3-c.”
- Trustee Domachowske said that the Village Board members have no intentions of going over the 2% cap and also have no plans to raise taxes, maybe water, but not taxes.
- This tax cap override law is for one year only.

CLOSE PUBLIC HEARING: Mayor made motion to *CLOSE* Public Hearing and *OPEN* Board Meeting, second by Trustee Tackman, all in favor.

ADOPT LOCAL LAW: Mayor Youmans made a motion to adopt Local Law No. 1 of 2012 to override the tax levy limit established in General Municipal Law, second by Trustee Domachowske, all in favor.

APPROVAL OF MINUTES: Mayor Youmans made a motion to approve the minutes from Feb 14, 2012 Board Meeting, second by Trustee Tackman, Trustee Domachowske and Mayor Youmans abstained, all others in favor. Mayor Youmans made a motion to approve the minutes from Mar 6, 2012 Work Meeting, second by Trustee Hinds, all in favor.

FISCAL ADVISOR REPORTS: Mayor Youmans made a motion to approve the monthly financial report for January 31, 2012, second by Trustee Domachowske, all in favor.

ADDITION TO BILLS: Mayor made a motion to accept the addition to Abstract # 9 voucher # 422* due to a duplicate payment from fire dept, second by Trustee Hinds, all in favor.

PAY BILLS: Mayor Youmans made a motion to pay bills on Abstract # 10 vouchers #425-465 second by Trustee Domachowske, all in favor. Bills discussed: Zacharia Avery–Code Enforcement and Ferguson- hydrant parts.

CODE ENFORCEMENT OFFICER: Mayor Youmans read monthly report and made motion to accept as written and filed. 1 pool permit, 1 field inspection, \$50 collected, second by Trustee Tackman, all in favor.

FIRE DEPT: Fire Chief Carl Avery read Fire Dept monthly report. Mayor Youmans made a motion to accept the monthlty report as written and filed, second by Trustee Kite, all in favor.

SPIRIT COMMITTEE: The committee met last week and discussed the following: April 28 is Earth Day Clean-up - all Volunteers should meet at 9:00am at Memorial Park on North Street for refreshments and assignments. A

summer concert at Lakeview Park is planned – date and time TBA. The Spirit Committee has agreed to help raise funds to purchase new playground equipment for Memorial Park – an August golf tournament is tentatively planned.

TRAFFIC CONTROL CHANGES: Trustee Hinds presented his proposed changes to the local traffic law. These changes include four way stops at Bridge and West, Bridge and Clay and Bridge and Center, also a three way stop at Bridge and North and Caswell and Center. All of the Board members agreed to go forward with the changes. The Clerk will contact the Attorney to draft the amendment after which a public hearing will be planned.

PROPERTY MAINTENANCE LAW REVISION: Trustee Domachowske would like to do another assessment of the properties that may need to be addressed once the revision of this law has been completed. The current Property Maintenance Law and Junk Car Law has been combined into one law with a few changes. The draft of the new law and violation notice needs to be reviewed by the Board and discussed at a future meeting before sending to the Attorney. One resident asked how strict the new law would be- can he have a stack of wood or a camping trailer? Another, a business owner, was worried about his unlicensed, unregistered snow removal equipment on his property. The Mayor answered stating that most of time it's the people that have neglected their properties that will be sited. It's important to get serious with those properties. The law will make it fair for everyone. Trustee Hinds feels that snow removal equipment should be exempted from the law. A letter was sent to all residents regarding property upkeep about a year ago. No follow up was initiated. Once the law has been completed, the Code Enforcement Officer will be contacted to begin siting non-compliant property owners.

WORK MEETING: A work meeting was scheduled for Tuesday March 27, 2012 at 6:30pm at the Village Hall to discuss the property maintenance law changes and to begin working on the 2012/13 Budget.

CHIEF WATER OPERATOR: Chief Water Operator, Doug Riggs, will be flushing the Village Water System on Monday April 9, 2012. As a reminder, a postcard will be sent to water customers.

CEMETERY SIGN: Mayor Youmans will check to see when the new sign will be placed at the Cemetery.

MAYOR YOUMANS read some of the highlights from a recent Mayor's meeting: The Village of Mexico is replacing their water meters. Their customers must pay half of the amount for the new meters. Central Square has a municipal cemetery that has a commissioner separate from their DPW to care for the cemetery. Mayor Youmans feels it would be cheaper if the Village hired-out the mowing for the Village Cemetery. Trash collection in Lacona was mentioned.

PUBLIC COMMENTS:

Chuck Gilkey and Mike Parker were given permission to once again review the presentation from the March 6, 2012 public meeting regarding the Town of Constantia's proposed Bernhard's Bay Water District and the Village of Cleveland's Water System upgrade as proposed by Barton & Loguidice, an engineering firm contracted with the Town of Constantia. Once the presentation (presentation is outlined in March 6, 2012 work meeting minutes) had been reviewed, the following comments were heard:

- Mal Davis objected to Mr. Gilkey and Mr. Parker speaking on this subject without it being on the agenda. There were residents that would have attended the meeting had they known this subject was to be entertained. He also feels that the Village should use money from the water fund to prove that the Village can supply water to Bernhard's Bay. Water is an essential part of the Village. The sewer system depends on the support of the water system. This would also be a wonderful time to come up with a joint project for sewers. He doesn't think the Board should sit back and let OCWA sell water to Bernhard's Bay. Those already receiving OCWA water will pay for the cost of the line going through the Village, and for the electric to pump the water. If the intake from Lake Ontario fails...it could be a big problem. What would be the cost to turn OCWA on in the Village? What are the benefits of supporting OCWA selling water to Bernhard's Bay? It will cost a lot more if the Town takes over the Village's water and sewer systems.
- Tom Mirizio asked if OCWA's emergency connection was sufficient to supply water to the village for a long period of time? Mike Parker, after some hesitation, stated that stopping the Village water supply and providing OCWA water in an emergency is a possibility.

- Mayor Youmans doubts anything will happen but OCWA is a good backup safety factor.
- Trustee Kite read the following letter sent to residents from the Village of Cleveland's Superintendent and Chief Water and Sewer Operator Doug Riggs:

"To the Village of Cleveland Residents: As some of you have heard there is some preliminary discussion about a joint water project with the Town of Constantia. The main objective of this project is to service Bernhard's Bay with public water. This should mean the best possible drinking water for the best possible price. The Village of Cleveland Water System has an undeniably pristine source of water, the Constantia Aquifer. This ground water requires minimal treatment as opposed to Lake Ontario, which requires much treatment and filtration. This is one reason why the rates with Cleveland Water System have been consistently low over long periods of time. OCWA rates are consistently rising because of the cost of utilizing a surface water source, Lake Ontario. The upgrades to the Cleveland Water System in 1979 were put in place with the thought of continuing service west of the Village of Cleveland to Bernhard's Bay. There is a TEE at the end of Martin Road and Route 49 on the 10-inch main pointing west capped off at this very moment for this purpose. I believe with some minor upgrades to our well system that the Cleveland Water System is more than capable of providing a great product to our friends and neighbors in Bernhard's Bay. It seems to me that if the Town of Constantia needs to enter into a project with the Village of Cleveland to obtain funding to supply water to Bernhard's Bay, that utilizing the water system already in place and capable of the expansion makes sense. Why send the revenue out of the Town of Constantia? The Town of Constantia *has* a water system, it's the Cleveland Water System! Why aren't we all supporting it? I am always happy to discuss the facts about our great water system and am available at (315)675-8182 or (315)657-4771. Yours Truly, Doug Riggs."
- Mal Davis asked if those residents just west of the Village, that recently replaced their water main at their own expense, would be forced to be in the water district. Chuck Gilkey said they would be in the district and will have the option to get water from OCWA or the Village, however they will be responsible to pay for the debt service charge for the Bernhard's Bay Water district either way. Mr. Davis feels that is unfair to those residents and suggested they hire an attorney. After doing this in Oneida County, the district line was changed.
- Mr. Gilkey and Mike Parker stated the following: They will look into the accusations regarding the intake at Lake Ontario, OCWA meets all requirements. In an emergency, it will cost the Village about \$400/day based on 150,000 gal/day usage. It's not in the cards to take over the Village water system. The main objective is not just to serve Bernhard's Bay with water but to service a large populace on the North Shore of Oneida Lake.
- Mayor Youmans feels that this project has gone too far now to consider using the Village Water System to supply water to Bernhard's Bay. He stated: "This Village is not going to stand in the way of OCWA going through, they will go through whether we want it or not, they can go right down 49 if they want." He sees no reason to change the plans now. "The train left the station a long time ago."
- Mike Parker said that if the Cleveland Water System provided water to Bernhard's Bay, Cleveland would become the lead agency and in his opinion feels there would not be a project and grant money would not be available. The Clerk asked why not do a study to find out.
- Trustee Hinds went over the items on the proposed project regarding the Cleveland Water System Upgrade as presented at the March 6, 2012 meeting. Included in the project proposed by Barton & Loguidice is an emergency cross-connection that is a 'valve in the ground...just turn it on' and the Village will have OCWA water and a transmission main that will now loop the lake with OCWA water. He said the Village hasn't done anything about getting a second well and feels it's bad timing... the 16" pipe IS coming through. He reviewed the fire dept's need for pressure and how the emergency connect would be to the advantage of the Village.
- Clerk Sweeten suggested doing the emergency connect as planned but let the Village supply the water?
- Mr. Gilkey said they were on deadlines. Any new studies would need to be done soon.
- Sherry Kaderli does not want to get side tracked and loose the zero % interest if the Village sells water to Bernhard's Bay.

- Trustee Hinds reiterated his thoughts from the previous meeting regarding how the Village would finance the project upgrade. The water bond will be paid in 2017. He feels the \$60./yr increase for water to each water customer due to this project will be reduced in a few short years by the debt elimination of approx. \$45. when the water bond is paid off, leaving the increase of approx. \$15. Meters will be in by then. There will be a minimum charge, then a cost if usage if over minimum.
- Tom Mirizio feels a set rate per person must be issued for debt repayment. Mr. Gilkey said that commercial properties would be adjusted accordingly. Mayor Youmans said the rates will be correct and will not be unreasonable.
- Trustee Domachowske stated that the Village is in the business of selling water. Why not find out if the Village can do a study to see if it would be more beneficial for the Village to sell water to Bernhard's Bay?

- Trustee Kite wondered why not wait for a study to be done?
- Mr. Gilkey feels the time for the study is over. They may not have another chance for this type of funding. If the Village doesn't go through with this project they will go with other options.
- Mal Davis said it is not too late for the study.
- Trustee Domachowske feels the Mayor is giving up on the Village.
- Trustee Hinds polled the Board. Mayor Youmans, Trustee Tackman and Trustee Hinds are for the project as it stands. Trustee Domachowske and Trustee Kite are not sure yet. A formal vote was not taken.

LOCAL GOVERNMENT EFFICENCY GRANT: Mr. Gilkey presented a resolution to the Village Board that would support a cooperative grant application with the Town of Constantia to evaluate all options for provision of safe, efficient and cost-effective fire protection and emergency services between the Village and Town. The Mayor made a motion to support this grant application as stated above and as written on the attached resolution, second by Trustee Kite, all in favor.

IMPORTANT DATES:

Work Meeting: Mar. 27, 2012 6:30 pm at Village Hall

Board Meeting: Tues Apr 10, 2012 6:30 pm at Village Hall

MEETING ADJOURNED: Mayor Youmans made motion to adjourn, seconded by Trustee Hinds, all in favor.

Submitted by Phyllis Sweeten/Clerk Treasurer 3/19/2012