

PRESENT: Mayor Youmans, Trustees Laureen Tackman, Christine Schreiber, Scott Williams and Joe Domachowske, Clyde Lewis, Zach Avery, Rod Batte, Cathy Kline, Dan Lewis, Paul Baxter, Chuck Gilkey, Elwood Engelbrekt, Ron Sakonyi, Carl Avery, Charlene Weed, Roy Reehil

**MEETING CALLED TO ORDER** by Mayor Youmans at 6:30 pm with Pledge of Allegiance.

**SWEARING IN OF TRUSTEES:** Trustees Tackman and Williams were sworn in by the clerk. Trustee Schreiber took her oath of office on July 2<sup>nd</sup>. The Mayor thanked all the trustees for serving and said everyone is responsible to see that the taxpayers money is spent wisely.

Mayor Youmans made a motion to approve the following appointments:

**BUDGET OFFICER:** Mayor Norman Youmans

**DEPUTY MAYOR:** Laureen Tackman

**DPW SUPERINTENDENT:** Rodney Batte

**CODE ENFORCEMENT OFFICER:** William Hamacher

**ANIMAL CONTROL OFFICER,** Clayton Conover

**VILLAGE HISTORIAN:** Charlene Weed, this is a voluntary position

**VILLAGE NEWSPAPER:** Queen Central News for the postings of all meetings, public notices, etc.

**VILLAGE BANK:** Pathfinder Bank

**VILLAGE BOARD MEETINGS** to be held on the second Tuesday of the month at 6:30 p.m., as posted, with the exception of holidays, then the meeting will be held on the third Tuesday.

**PROCUREMENT POLICY:** as written and attached.

**MILEAGE REIMBURSEMENT:** The Board of Trustees shall approve reimbursement to such officers and employees at the rate of 55 cents per mile, effective immediately.

**MEETINGS, CONFERENCES, and SCHOOLS:** all officers and employees are authorized to attend such that would benefit the Village. The Mayor and Trustees must obtain the Board approval. The Employees must obtain approval from the Mayor.

**VILLAGE ATTORNEY:** Primo Law Offices, 7075 Manlius Center Road, East Syracuse, NY for one year.

**BOARD of APPEALS:** This item will be tabled until new members are appointed.

Approval to attend the 4 Oswego County Conference of Mayors meetings to be held during the next year.

**NEXT VILLAGE ORGANIZATIONAL MEETING** will be held on Tuesday July 8, 2014

Motion: Mayor Youmans, Seconded: Trustee Tackman, all in favor, motion carried.

**THE MAYOR PROPOSED THE FOLLOWING RESOLUTIONS:**

**RESOLUTION #1**

Pursuant to Village Law 4-412 (3) (2) the Board of Trustees designates Pathfinder Bank as the depository institution of all monies received by the Village Treasurer, Clerk and receiver of taxes.

Motion: Mayor Youmans, Second: Trustee Tackman, all in favor, motion carried.

**RESOLUTION #2**

Pursuant to Village Law 5-524 (6) that the Board of Trustees authorizes payment in advance of audit of claims for public utility services, postage, freight and express charges and all such claims shall be presented at the next regular meeting for audit and the claimant of officer incurring or approving the same shall be jointly and severally liable for an amount disallowed by the Board of Trustees. That this resolution is effective immediately. Motion: Mayor Youmans, Seconded: Trustee Tackman, all in favor, motion carried.

**RESOLUTION #3**

Pursuant to General Municipal Law 77-b Officers, elected officials and employees are hereby authorized to attend the meetings and schools necessary for the performance of their jobs.

Motion: Mayor Youmans, second Trustee Schreiber, all in favor, motion carried.

**RESOLUTION #4**

A special meeting may be called by the Mayor alone or by at least two trustees acting together. The members of the Board will be notified by telephone or email.

Motion: Mayor Youmans, second Trustee Williams, all in favor, motion carried.

**RESOLUTION #5**

In the event that a the emergency occurs during Village work hours of a volunteer firefighter or emergency medical technicians who is a Village employee and summoned to respond to an actual working emergency and be it is determined that there is an actual working emergency involving the Cleveland Fire Department, he or she may be granted leave for such purposes at the regular rate of pay exclusive of premiums such as holiday or overtime. Additionally the Village may excuse a reasonable amount of tardiness caused by such emergency duties of duly authorized firefighters for rest and recuperation but not to exceed four hours. Absences under this policy will be considered time worked for purposes of calculating overtime The grant of this leave is discretionary and may be denied or limited due to the operational needs of the department and is subject to the following:

The employee must give the department head or designee as much advance notice as reasonable of the need for leave. The employee shall provide proof of his or her active firefighter status. The employee shall confirm the nature and duration of his or her participation in the emergency event by providing appropriate documentation: example: rip and run sheet signed by a fire department official of higher rank or as confirmed by another line officer or Village dispatcher.

Motion: Mayor Youmans, second Trustee Domachowske, Trustee Tackman, yes, Trustees Williams and Schreiber abstain. motion carried. The Mayor commented that when we have true emergencies, we should be sure our people are covered.

**RESOLUTION  
(Uniform Notice of Claim Act)**

The **VILLAGE OF CLEVELAND BOARD OF TRUSTEES**, in the County of Oswego, State of New York, met in special session at the Municipal Building in the Village of Cleveland, located at 2 Clay Street, County of Oswego, State of New York, on the 9th day of July, 2013 at 6:30 P.M.

Mayor Norm Youmans and the following Trustees were present, namely:

Lauren Tackman  
Scott Williams, Sr.  
Joseph Domachowski

Also Present: Julie Simpson, Village Clerk-Treasurer

The following resolution as drafted and proposed by the Village Attorney, was moved, seconded and adopted:

**WHEREAS**, on June 15, 2013, the Uniform Notice of Claim Act (“Act”) became effective, amending New York General Municipal Law to permit notices of claim against villages to be served on the New York Secretary of State as agent for the villages; and

**WHEREAS**, pursuant to the Act, the New York Department of State shall forward any notice of claim served on it to the individuals designated by the villages to receive same; and

**WHEREAS**, New York General Municipal Law §53 requires each village to file with the New York Department of State a certificate that (a) designates the New York Secretary of State as the local government’s agent for service of notices of claim, (b) provides the name and address of an officer, person, or designee, nominee or other agent-in-fact to which the Secretary of State will forward any notices of claim, and (c) provides the applicable time limit to filing a notice of claim on the village; and

**WHEREAS**, the Village of Cleveland Board of Trustees desires to designate the Village Clerk-Treasurer as the individual to whom the New York Secretary of State shall mail notices of claim to, and file such certificate with the Secretary of State;

**NOW THEREFORE, BE IT RESOLVED**, that the New York Secretary of State is hereby designated as the Village of Cleveland’s agent for service of notices of claim; and it is further

**RESOLVED**, the Village Clerk-Treasurer is hereby designated as agent-in-fact to which the Secretary of State shall mail notices of claim to; and it is further

**RESOLVED**, that the Village Clerk-Treasurer is hereby authorized to perform such acts and to execute and deliver and file with the New York State Department of State such certificate or any other documents, as are necessary to effect the foregoing resolutions.

Upon motion made by Mayor Youmans and seconded by Trustee Williams, the foregoing resolution was put to a roll call, which resulted as follows:

Norm Youmans, Mayor	Aye
Lauren Tackman, Deputy Mayor	Aye
Scott Williams, Sr., Trustee	Aye
Joseph Domachowski, Trustee	Aye
Christine Schreiber, Trustee	Aye

Resolution was adopted on July 9, 2013

**DPW REPORT:** Rod reported that a new flail mower was purchased, the water tank base had been painted, the plant is running well. Matt is spending most of his time mowing, and the new mower will allow for mowing the sides of the road more often. Trustee Tackman inquired about the guardrails and commented we need to work with the town regarding the culverts. We have \$59,000 in chips money and would like to know how far this will go.

**FIRE DEPARTMENT:** Chief Avery read the alarm report for the month. There have been 30 calls already in July and it’s only the 9<sup>th</sup>. They had 9 calls on Saturday alone. The fire department would like to meet with the board to discuss the purchase of apparatus as well as turn-out gear and the purchase of gas meters.

**CODES REPORT:** There was one permit issued for a deck and 1 field inspection. The house at 229 St. Rt. 49 has been boarded up and the lawn mowed. The grass has been mowed at 2 other homes and Mr. Hamacher has been in touch with the banks for these properties to keep them maintained.

**SALE OF POND AT COUNTY AUCTION:** The pond is up for auction again this weekend and Roy Reehil would like to have the board pass a resolution to send a letter to the county to have it pulled from the auction. Mayor Youmans stated that every time it goes for auction, people think it's a great property with a pond and don't realize the liability with the dam and the buried gas tanks. The Mayor made a motion to send a letter to withdraw the property from the auction, second Trustee Williams, all in favor. Discussion followed regarding that there should be full disclosure of the liability of the property prior to it being auctioned.

**APPROVAL OF MINUTES:** The Mayor made a motion to approve the minutes of the June 11<sup>th</sup> meeting, second Trustee Tackman, all in favor.

**AUD REPORT:** The Mayor discussed the Annual Update Report that is submitted yearly to the NYS Comptrollers office, stating it had been completed by the clerk and our consultant and that Trustee Domachowske had reviewed it.

**PAY BILLS:** Questions regarding the 700.00 to the DEC to dump waste, and the cost of mowing a lawn to be relieved to taxes as well as letting the park director know she would be reimbursed for any expenses she incurs for the park. The Mayor made a motion to approve Abstract # 2, vouchers 50-97, second Trustee Schreiber, all in favor.

**IMPORTANT DATES:** Next meeting Tuesday, August 13, 2013 at 6:30PM and a work meeting Tuesday, July 30<sup>th</sup> at 6:30PM to discuss the purchase of fire equipment, trash pickup and insurance.

**PUBLIC COMMENT:** Paul Baxter from the Tughill Commission spoke on several topics including the meeting held regarding the proposed natural gas lines for the north shore. County Legislator Ron Sakonyi spoke also regarding upcoming rabies clinics and the proposed closings of the transfer stations in Oswego County.

A question was raised regarding the dog catcher and how does she know if the dogs are licensed and have their vaccinations. The dogs in Cleveland have not been enumerated in many years and discussion followed regarding the new dog warden enumerating the dogs.

The Mayor commented that the flags along Route 49 have been put up and taken down over the years and he would like to see something more permanent put up. He proposed we purchase flag banners like the banners already up. We would need to purchase the banners and the hardware at a cost of approx. \$163.00 each. Mayor Youmans made a motion to purchase 5 flag banners and hardware, second by Trustee Schreiber, all in favor.

Discussion regarding security cameras at the park on North Street followed. There has been a lot of vandalism and we need a way to curb this and many feel that cameras would hopefully help catch the responsible parties. The backboards at the park were spray painted as well as the field was torn up. Trustee Williams discussed the office of convenience that the State Troopers have at the Village Hall and whether we could open it up to all local law enforcement. He would also like to see a neighborhood watch stated. We need to get cooperation between counties.

Elwood Engelbrekt inquired as to who is responsible for the bridges in Cleveland. Roy Reehil commented that there are no bridges in Cleveland, they are culverts. Mayor Youmans stated he did not know who was responsible. Trustee Tackman asked Constantia Town Supervisor Gilkey if he knows, and he stated to put the question in writing and he will respond.

Roy Reehil asked the board to pass a motion to withhold the pond property from the auction, as he arrived after the initial motion. He presented the history of the pond and said he believed the property should be owned by some municipal entity and he was not asking the Village to purchase it, but wants to see it property maintained and asked if Ron Sakonyi could carry the resolution if passed to the County Legislature meeting. Trustee Tackman made a motion to rescind the previous motion, and utilize the new resolution provided by Roy with corrected language, second by Trustee Schreiber, all in favor. Mayor Youmans asked Roy if he would head up the committee to save the pond if the Legislature agrees to pull the property from the auction. Roy stated he would be happy to do so.

**MOTION TO AJOURN:** Mayor Youmans made a motion to adjourn, second by Trustee Domachowske. Motion carried.