

Minutes of the regular meeting of the Board of Trustees of the Village of Rouses Point, New York held on Tuesday, September 8, 2015 at Halstead Hall commencing at 7:00 P.M.

PRESENT: George A. Rivers, Mayor
Brad M. Martin, Trustee
John A. Mott, Trustee
Joseph R. Treadwell, Trustee

ALSO PRESENT: Jean M. LaBombard, Administrator
Arsene F. Letourneau, Treasurer
Brian S. Pelkey, PWS
Clifford Sterling, CEO

ABSENT: Arvil J. Moore, Trustee

RECORDING SECRETARY: Carol A. Hanfield, Village Clerk

CALL MEETING TO ORDER:

Mayor Rivers called the meeting to order and began with the Pledge of Allegiance to the Flag.

COMMENTS FROM THE PUBLIC:

Donald Favreau, 61 Chapman Street, addressed the Board about the bike path and that it has been an issue in a lot of peoples sides. He asked for clarification on the proposed 'Bike Path'. He asked why and who does it benefit, the cost, and do the Village taxpayers have a say as to do we want it or not. If it is such an important agenda then why aren't the residents made aware of this project in its entirety. What is the anticipated start date and completion date. He said he has been told that the taxpayers will be paying 1/3 of the money above and beyond the grant funds and if so how much will it cost. Why not look into grants that are more worthwhile for the aging residents in our Village. He has lived in Rouses Point for 37 years, proud of his home and takes good care of his property. He and his wife sit out on their porch every night and probably see about 10 people walking and maybe two people bicycling to Champlain Plastics. He said they have never had sidewalks on this street. Now all of a sudden we have a bike path. The Village has a right of way of the 60'w street which becomes 18 1/2' from the edge of the road to his property and the trail will be 30' from the center of the road leaving 18 1/2' from the edge of the road to his porch being on the top of his lawn. His property is 120' wide. He would like to add onto his driveway but doesn't want to because it will be torn apart. The taxpayers have to let the Code Enforcement Officer know what we are doing with any changes yet we were told nothing about the planned bike path.

He then commended the Village for the way it looks, stating that the Village workers have done a tremendous job; and now if they can complete Chapman Street, it will be even more beautiful. The bike path sounds like the taxpayers are at the pleasure of the Village Board. Even if a formal informational letter could be put in the light bills letting everyone know would be beneficial. The Administrator suggested to Mr. Favreau that he send an email to her regarding this and also copy Legislator Harry McManus.

Mayor Rivers explained to Mr. Favreau that this project is a Clinton County Highway Project. The Village knows as much as he does. Mr. Favreau said that there were County Surveyors there, and the Mayor advised that the Village did not know that they were coming. He explained that the Village did vote to be part of this project. The County was awarded a \$1.2M grant for this Bike Path. There is no additional information to date other than preliminary. Mr. Favreau stated that it bothers him to know that someone can take over part of his lawn. Discussion followed.

Administrator LaBombard stated that Mr. McManus has been here on several occasions and brought a map and laid out what the preliminary vision was. Mayor Rivers told Mr. Favreau that he could stop by the office, that he did have a map.

MINUTES OF MEETINGS:

Trustee Martin made a motion to accept the minutes of the regular meeting of August 17, 2015 and Special Meeting of August 20, 2015 as presented; Seconded by Trustee Treadwell; AYE CARRIED

BILLS:

The Treasurer stated there were no additions or deletions to the list of bills. Trustee Martin made a motion to approve the bills as presented; Seconded by Trustee Treadwell; AYE CARRIED

CORRESPONDENCE:

The Clerk read a note from Father Clyde M. Lewis, Pastor of Saint Patrick's Church, thanking the Village of Rouses Point workers for their assistance with a recent water problem at the Parish Center.

REPORTS FROM THE MAYOR AND BOARD:

MAYOR GEORGE A. RIVERS:

Mayor Rivers stated that as we all know we have a new sign in the Civic Center parking lot so the Treasurer researched the Rules & Regulations for Use of the Electronic LED Sign/Message Board and created a Policy which the Mayor read. He asked for the Board's approval to approve this Policy as presented. Trustee Martin made a motion to accept the Electronic LED Sign/Message Board Usage Policy as presented; Seconded by Trustee Treadwell; AYE CARRIED (SEE ATTACHED)

Mayor Rivers presented Local Law #1 – Amending Chapter 112 “Vehicles and Traffic” and Article II “Traffic Regulations” allowing the Marinas use of the Village Streets to transport Boats to and from Marina properties located in the Village. Trustee Martin made a motion to authorize the Village Clerk to publish a Legal Notice for a Public Hearing on Local Law #1; Seconded by Trustee Treadwell; AYE CARRIED

Mayor Rivers presented Local Law #2 – Amending Chapter 121 “Planning Board”, Section 121-3 “Bylaws” and B. Article 2 (1) Meetings of the Village Code of the Village of Rouses Point. Trustee Martin made a motion to authorize the Village Clerk to publish a Legal Notice for a Public Hearing on Local Law 2; Seconded by Trustee Treadwell; AYE CARRIED

Mayor Rivers stated that he needed an Executive Session to discuss a Contract Negotiation. Trustee Treadwell made a motion requesting an Executive Session to discuss a Contract Negotiation; Seconded by Trustee Mott; ROLL CALL VOTE All Ayes

Mayor Rivers presented a Budget Modification Resolution on the outstanding Purchase Orders to the 2015 – 2016 Village Budget as of May 31, 2015. Treasurer Letourneau reviewed the Resolution. Trustee Martin made a motion to approve this Resolution as presented; Seconded by Trustee Treadwell; ROLL CALL VOTE All Ayes
(SEE ATTACHED)

Mayor Rivers announced that there is a MEUA Accounting & Finance Workshop in Syracuse on October 20 & 21, 2015 and stated that it has been recommended that the Treasurer attend. Treasurer Letourneau said that he would like to see the agenda first. Trustee Treadwell made a motion to allow the Treasurer to attend this Workshop; Seconded by Trustee Mott; AYE CARRIED

TRUSTEE MARTIN:

Trustee Martin asked the Administrator to address the bee issue which she deferred to the Code Enforcement Officer. He stated that under our local law there is nothing listed for bees, we have chickens, ducks, goats, everything but bees. Some residents have decided to have bee hives in their back yards and legally we can't tell them that they can't because we have nothing in writing. If you are going to put it in local law to not have bees in the Village of Rouses Point we would have to go to the people that have them and give them a reasonable time for them to find another home for them. According to the State, for those that have bees, you have to prove that their bees are the ones bothering the neighbors. Bees attract hornets and it is probably the hornets that are bothering the neighbors. The present owner of the bees near Edgewater has done what the State requires. He has three (3) hives and they are six feet (6') high. Trustee Treadwell asked what the complaints are. Clifford said that in the Edgewater area residents complain that they can't sit outside anymore because of the bees bothering them. Monica Merchand, a resident of the area, stated that she lives near the man who has the bees and has never had a problem. Discussion followed.

The Administrator stated that the reason this was a topic of discussion was that we wanted the individuals who had brought it to our attention to know that we had researched the issue to address their concern.

Trustee Martin announced that the Rouses Point Civic Center presents the 1st Annual FALLFEST Craft/Vendor Show on Saturday, September 12, 2015 from 10:00 A.M. – 4:00 P.M. Admission is free and he read a list of vendor items that will be there.

Trustee Martin stated that the issue of having a "Dog Park" is being addressed again. Some residents have suggested that there is a small piece of property in the back yard here at the Civic Center property along Veterans' Park that has been looked at as a possible site for a "Dog Park". They are willing to pay for a fence to be put in and whatever else is needed to make it secure for the dogs to run loose and they will be picking up after the dogs themselves. He did not see a problem with this as long as the Village is not liable. Trustee Mott expressed his concern if a dog were to bite another dog or someone gets bit on Village property it would be a liability of the Village.

The Administrator stated that this is for informational purposes only at this time. There is homework to be done regarding liability insurance coverage, waivers in the event they want to use the area - there are a lot of unknowns. This conversation has been going on for some time and this is an update as to where it is at the moment. Trustee Treadwell asked the Administrator to contact other town and Villages that have dog parks to see how they handle this situation.

Trustee Martin stated that the Fire Department is looking into buying a used pumper that is in better shape than the #305 we have now. Mike LeBlanc has approached the seller and they have accepted our offer. He asked the Treasurer to cut a check for the deposit of 3% or 5 % of what the offer is to hold the truck. Members of the Fire Department plan on traveling to look at this pumper. They would like to go down this Friday & Saturday, which is about 400 miles so they would like to use the Village Vehicle. An overnight stay will be required along with travel expenses. Trustee Martin asked if the Fire Chief had a credit card. If one of the trustees goes they can use their card. Trustee Treadwell asked Ben Arno if he was attending which he said he didn't think so. Trustee Martin said that he thought he was planning on going.

Treasurer Letourneau said that he thought the Fire Company was paying for the deposit. He discussed this with the Fire Chief and had a discussion with the Mayor, who was to contact the trustees about what was happening. The last he knew, the truck was not available until May of next year. Ben Arno said that he thought the truck would not be released until they get a new one. Mayor Rivers said that he was told there were three offers made. The Treasurer said that he told the Fire Chief that he had to get approval from the Board for this. Discussion followed.

Trustee Martin made a motion to approve the use of the Village car and pay the expenses for four (4) Fire Dept. members to take this trip, with the expense of two rooms and food cost for the trip; Seconded by Trustee Treadwell; AYE CARRIED

Trustee Martin made a motion requesting an Executive Session to discuss Sewer Plant Personnel; Seconded by Trustee Treadwell; ROLL CALL VOTE All Ayes

Trustee Martin made a motion requesting an Executive Session to discuss Water Plant Personnel; Seconded by Trustee Treadwell; ROLL CALL VOTE All Ayes

Trustee Martin made a motion requesting Accounting Personnel; Seconded by Trustee Treadwell; ROLL CALL VOTE All Ayes

Trustee Martin made a motion requesting Civic Center Personnel; Seconded by Trustee Treadwell; ROLL CALL VOTE All Ayes

Trustee Martin asked for an update on the water pump installation at the Water Plant. The installation by the Village crew went very well. The flow testing for the warranty has been challenging. Jennifer from EAS will be back tomorrow to try again.

TRUSTEE MOTT:

Trustee Mott stated that regarding the tree at 11 Edgewater, next to Joe Merchand's place, we are have been advised that Donna Roberts has hired a tree doctor to crown the tree on Thursday. Had this been not been the case it was going to be on the agenda tonight to have the

tree crowned with the costs being put on her taxes. Monica Merchand was present and stated that her husband spoke with the person doing the work and everything is good with it.

Trustee Mott addressed another tree issue. The tree is within the Village right of way which is 30' from the center of the road. The Village is waiting to hear back from the Village Attorney on this. Mr. Albert Gebo, owner of the property located at 37 Washington Avenue, said that there is 27' from the center of the road to the front of the tree. Trustee Mott stated that just because a tree is in our right of way, it does not mean that the Village owns it. The Administrator said the question to the attorney was how do you handle such incidences when you drive up and down the streets in the Village and there are many trees in the right of ways. It could be anywhere in the Village and how will we address this going forward.

Clifford Sterling, said that under State Law if a tree lies on a property line, both landlords own the custody and responsibility of that tree. Trustee Mott explained that he owns to the center of the road and if we have to put in utilities we own that tree. Mr. Gebo stated that he feels that the tree is dangerous and could fall on his house. That doesn't necessarily mean that it is our responsibility to remove it. We are checking with our Attorney to see if we do in fact have to remove it which he doubts but if we do, then we will have to take it down. Discussion followed.

Mr. Gebo stated that the tree has a limb that is about 36" round and maybe 75'h and the lady across the street, is scared to death. It is rotted from the crotch and there is a lot of sap coming out of it. Mr. Gebo said that if it comes down on her house it is going to cost more with a suit than to take it down now. Trustee Treadwell said that what is being said is that we are not sure if the Village is liable or if he is liable and stated that this is why we are waiting to hear from the Attorney as to who owns the tree.

TRUSTEE TREADWELL:

Had nothing to report.

OPEN MEETING TO THE PUBLIC:

OTHER REPORTS:

ADMINISTRATOR:

The Administrator stated to Mr. Tom Dart that he had asked about the potential of installing a dial up system for the sign. She said she asked Novatec and they said that it is old technology and had no value to this situation.

The Administrator congratulated Jerry Pivetta for receiving his Certification as a Water Plant Operator and also Tim Graves who completed his extensive Certification as a Wastewater Treatment Plant Operator.

The Administrator wanted to let everyone know that there are annual IEEP Reports available for review and that there are many financial benefits of the IEEP Program not only for the residents but for the Village operations. There is a lot of information on this. She also said that she had made some copies from the Annual Reports and everybody is free to come and look at them.

TREASURER:

The Treasurer stated that the links to the IEEP reports are on the Village Website.

The Treasurer reported that the estimate for our December 2015 Retirement is 15.1% less than what was budgeted which is good news.

PWS PELKEY:

Brian gave an update on the Electric Dept. and said that we had a meeting with the Telephone Company, with a very good outcome. We received the conduit to continue the work on Chapman Street. It should be all in before the snow flies. Some have been asking why we stopped and Brian advised that we were waiting for conduit and received the whole order, so now we have enough to complete it. The Street Department is working on Pratt Street, trying to finish it up and doing the odds and ends with blacktopping plus our regular water and sewer jobs. Trustee Treadwell stated that Maple Street looks great. Brian said that he wanted to get that done before school started. He stated that there are new tenants looking for larger services, which means more business in the Village and creation of more jobs. Trustee Treadwell asked if we are doing paving. Brian said we are waiting for the County to contact us and are planning on doing Myers; Rock; Stewart; Edgewater; and Lakeview. The County is finishing up their end first. It has been a busy summer.

COMMENTS FROM THE PUBLIC:

Ben Arno, 104 State Street, asked how often you can put something on the new sign. He was told that it can be up to 14 days, as is listed in the new policy of guidelines. Discussion followed.

Mr. Arno asked if the Police Chief has taken the Civil Service test yet. Mayor Rivers said that it has not been scheduled. The Administrator explained that Civil Service will be notifying us when it is scheduled. We have no control of it. Mr. Tom Dart, Lily Avenue, asked if the Police Chief was supposed to be a Lieutenant before becoming a Chief and didn't know if he was a Lieutenant now. The Administrator said she worked very close with Civil Service on his title. They evaluated his job responsibility and they came back and said that he could not be designated as a Patrolman/Officer in Charge, based on his responsibilities and had to be designated as a Chief – Competitive Class. Civil Service advised they will notify us when the test has been scheduled.

Mr. Dart shared with the Board an observation he made during the Board meeting – that it appeared to him that the Board's hands are tied based on the fact that the individuals involved in a particular project weren't present to plead their case and any questions or concerns the Board may have. An example in question was the fire truck issue. Mr. Dart suggested that it must be frustrating for the Board and that it is hard for the public to keep track of this stuff. Trustee Treadwell said that it is his recommendation that Dept. Heads be present at the meetings when there is something pertaining to their department. Is it possible if they ask for something to be on the agenda that they be here to present it to the Board. . The Administrator agreed that it was a good suggestion but has never been broached. The Treasurer stated that he didn't think the Board wants to get into a position where you have to pay overtime for Dept. Heads to attend meetings. Trustee Martin addressed his concerns about accountability being the key. . Discussion followed.

Mr. Dart addressed the bottle drop off and stated that the cans/bottles are overflowing again. He asked that they should be taken care of. The Administrator advised that the contact person was notified once already and would be reminded again. Discussion followed.

Donald Favreau asked about the schedule for Chapman Street west and if it was going to be done next year and Brian Pelkey told him it would be this year. He explained that didn't have the piping so we met with Champlain Telephone who had to provide us with the piping. They sent all the pipe. We now have the pipe in our possession. It won't take long to finish Maple Street. We will be headed back up Delaware Street and then headed west. He said the line crew has to go to Safety School tomorrow in Plattsburgh so Thursday and Friday they will be committed to that job and Monday & Tuesday of next week as he has been watching the weather very closely. We should be able to make progress on the street.

Donald Favreau asked about the electric bills where the credit is there is a section on the bottom that shows the credit in parenthesis is not on there. The Treasurer explained that there were some software updates and they didn't follow through with the updates and forgot to do the custom programming, it was an oversight and is being corrected. Mr. Favreau commended that the girls in the front office were very cordial when he addressed the bill and they said it was an oversight and would be corrected as they had received other complaints.

Trustee Treadwell asked Brian Pelkey about Chapman Street are we putting in just the conduit this year or all the underground. Brian explained that we are trying to get all of the excavating done so they can get the blacktopping done before cold weather because the blacktopping company closes before Thanksgiving. The wire can be pulled in December and January because we have our splicing shack so we can work through the winter if it above zero. Trustee Treadwell asked if the Telephone Company will be on the same schedule. Brian said that they won't as they have to budget their expense. Discussion followed.

Mayor Rivers stated that this past summer we had an ISO Inspection at the Fire Department and we were classified from a Class 4 to a Class 3 which is good. He notified the local insurance companies so when you renew your fire insurance you should see a reduction.

RECESS:

Trustee Martin made a motion to take a recess @ 8:00 p.m.; Seconded by Trustee Treadwell; AYE CARRIED

Trustee Mott made a motion to go into Executive Session @ 8:08 p.m.; Seconded by Trustee Treadwell; AYE CARRIED

EXECUTIVE SESSION:

No Action was taken during Executive Session regarding a Contract Negotiation

No Action was taken during Executive Session regarding Sewer Plant Personnel

No Action was taken during Executive Session regarding Water Plant Personnel

No Action was taken during Executive Session regarding Accounting Personnel

No Action was taken during Executive Session regarding Civic Center Personnel

Trustee Treadwell made a motion to go back into Regular Session at 8:50 p.m.; Seconded by Trustee Mott; AYE CARRIED

REGULAR SESSION:

Trustee Treadwell made a motion to promote Tim Graves to the position of Chief Wastewater Plant Operator when Tom Reid retires in October (date to be determined) at a rate of \$19.28 per hour; Seconded by Trustee Mott; AYE CARRIED

Trustee Mott made a motion to increase Patricia Garrand's salary \$2.00 per hour effective immediately; Seconded by Trustee Treadwell; AYE CARRIED

Trustee Treadwell made a motion to authorize the Clerk to advertise for a Full-time Temporary Laborer position at the Civic Center for a six month period for the winter operations; Seconded by Trustee Mott; AYE CARRIED

ADJOURNMENT:

Trustee Mott made a motion to adjourn at 9:02 p.m.; Seconded by Trustee Treadwell; AYE CARRIED

Respectfully Submitted,



Carol A. Hanfield
Village Clerk