

December 8, 2011

The meeting of the Board of Trustees was brought to order at 7:18 pm by Mayor Curran.

Attendance: Trustee Chapman, Trustee Grant, Trustee Locke, Trustee DelRossi, Police Chief Kevin Boehme, Fire Chief Paul Pratt, Earl Kelsey, Theodore Guterman, Esq., 13 residents and reporters from the Chatham Courier and the Columbia Paper.

Resolution #108 was made by Trustee Chapman to open the meeting at 7:20 pm. Seconded by Trustee DelRossi. Vote- Trustee Chapman, Trustee DelRossi, Trustee Grant, Trustee Locke- yes; no negative votes.

Resolution #109 was made by Trustee Chapman to go into executive session to interview the candidate for Village Treasurer. Seconded by Trustee Locke. Vote- Trustee Chapman, Trustee Locke, Trustee Grant, Trustee DelRossi- yes; no negative votes.

Resolution #110 was made by Trustee DelRossi to close the executive session at 7:36 pm. Seconded by Trustee Locke- Vote- Trustee DelRossi, Trustee Grant, Trustee Chapman, Trustee Locke-yes; no negative votes.

Mayor Curran asked everyone to move to the upstairs courtroom to begin the Public Hearing for the Noise Ordinance.

Attendance: Trustee DelRossi, Trustee Locke, Trustee Grant, Trustee Chapman, Police Chief Kevin Boehme, Fire Chief Paul Pratt, Earl Kelsey, Patrick Prendergast, Theodore Guterman Esq., James Kleinbaum Esq., Lea Lippera Harvey, Monica, Butch and Anthony Lippera, Michael Bemiss, 34 residents and reporters from the Chatham Courier and the Columbia Paper.

Resolution #111 was made by Trustee Locke to open the Public Hearing at 7:42 pm. Seconded by Trustee DelRossi. Vote- Trustee Locke, Trustee DelRossi, Trustee Grant, Trustee Chapman- yes; no negative votes.

Mr. Guterman read the Legal Notice and the Local Law #1 Policy Statement to the audience.

Mr. Guterman opened the meeting for public comments.

Ms. Rosemarie Whiteside presented a packet to each Board member for review regarding her comments and view of the Noise Ordinance. Chief Boehme objected to some of the statements that were presented in Ms. Whitesides' packet and commented that only the New York State Liquor Authority can handle some of the issues that were mentioned.

Ms. Harvey stated that she started complaining last March about the noise at MJ's Sports Bar and that she had spoken to Mr. Bemiss about it. The noise subsided for a little while then it started again. She asked the Board to give careful consideration to this noise ordinance before a vote is taken.

Attorney James Kleinbaum spoke on behalf of Mr. Bemiss and stated that the proposed ordinance will affect the entire village not just the area around MJ's.

Monica Lippera stated that she did not feel that the noise ordinance was the answer, businesses should take care of their problems. Mr. Bemiss commented that he closes his business early during the week so he will not disrupt the neighbors and he is only open late on the weekends.

Resolution # 112 was made by Trustee Chapman to close the Public Hearing at 8:22pm. Seconded by Trustee Locke. Vote- Trustee Chapman, Trustee Locke, Trustee Grant, Trustee DelRossi- yes; no negative votes.

Mayor Curran read correspondence from resident Denise Dapice and business owner Steven Campbell regarding the noise ordinance.

Mr. Guterman guided the Board to either review or discuss the ordinance at this time and to clarify a distance discrepancy that was noted by Mr. Kleinbaum.

The Mayor and Board members commented that the ordinance needs more work. Mr. Guterman stated that even though the State Liquor Authority allows bars to be opened until 4:00 am, Village Law can't supercede the State Liquor Authority, they can only voice concerns and the State will investigate them.

Mayor Curran stated that this needs to be tabled and returned to at a later date.

Mr. Bemiss commented that he would like to discuss the issues with the Lippera's again to try to resolve this. Chief Boehme offered to meet with all parties to come to some sort of agreement. Mr. Bemiss and the Lippera's agreed to meet with Chief Boehme.

Mayor Curran opened the regular meeting of the Board of Trustees at 8:45pm.

Attendance: Trustee Chapman, Trustee Grant, Trustee Locke, Trustee DelRossi, Earl Kelsey, Police Chief Boehme, Fire Chief Paul Pratt, Patrick Prendergast, 16 residents and the reporters from the Chatham Courier and the Columbia Paper.

Resolution #113 was made by Trustee Locke approving the minutes of the November 10, 2011 regular meeting. Seconded by Trustee DelRossi. Vote- Trustee Locke, Trustee DelRossi, Trustee Chapman, Trustee Grant-yes; no negative votes.

The Board discussed the separation of the Clerk/Treasurer position into two separate job titles at the recommendation of attorney Ted Guterman.

Trustee DelRossi read a "Resolution Bifurcating the Clerk- Treasurer position, confirming the Village Clerk appointment, and approving the Village Treasurer appointment." Trustee Locke asked that item numbers three and six be deleted for further discussion of salary and hours for the two positions. Trustee DelRossi read the resolution again deleting items three and six.

Resolution # 114 was made by Trustee DelRossi to separate the Clerk and Treasurer positions. Seconded by Trustee Locke. Vote- Trustee DelRossi, Trustee Locke, Trustee Chapman- yes; Trustee Grant voted no.

The following resolution was approved;

**RESOLUTION BIFURCATING THE CLERK-TREASURER POSITION, CONFIRMING THE VILLAGE CLERK APPOINTMENT, AND APPROVING THE VILLAGE TREASURER APPOINTMENT**

Whereas, effective December 28, 2011 there will be a vacancy in the position of Clerk/Treasurer; Now, therefore be it

**RESOLVED**, that the Board of Trustees hereby:

1. Confirms that Barbara Fischer will continue in the position of Village Clerk with duties and responsibilities set forth in Village Law, for the remainder of the current term which ends on the date of the Organizational Meeting of the Board of Trustees in April 2013; and,
2. Confirms that the Village Clerk position is a full-time position eligible for those benefits afforded to full-time employees of the Village; and,
3. Approves the Mayor's appointment, effective December 28, 2011, of Anne Marshall to the position of Village Treasurer, with duties and responsibilities set forth in Village Law for the remainder of the current term which ends on the date of the Organizational Meeting of the Board of Trustees in April 2013; and,
4. Approves that the Village Treasurer position to be a part-time position not to exceed 552 hours for the remainder of the fiscal year 2011-2012 and not to exceed 1040 hours for

fiscal year 2012-2013 and to be eligible for those benefits afforded to part-time employees of the Village.

The Board discussed the hours and wages of the two positions. Attorney Guterman stated that the Board needed to make an offer for the Clerk position and to come to some consensus. Trustee Grant made a motion to hire Mrs. Fischer at an hourly rate of \$18.00 an hour and have the same employment contract as current Clerk/Treasurer Carol Simmons. Trustee Chapman seconded that motion. The Board stated that this should be reviewed by the Village attorney to determine if the clerk position would be covered by the union, CSEA, or by a contract. Trustee Chapman commented that he wanted to make sure the clerk position was protected under a union agreement.

Resolution # 115 was made by Trustee Grant to pay the Village Clerk position \$18.00 an hour and that all benefits that entitled to a full-time employee are provided.

Seconded by Trustee Chapman. Vote- Trustee Grant, Trustee Chapman, Trustee Locke- yes; Trustee DelRossi and Mayor Curran-no. Carried.

The Board discussed the salary of the Treasurer position. Trustee Locke commented that she had a problem offering the same wage amount as current Clerk/Treasurer Carol Simmons is currently making. Trustee DelRossi explained that this position did not include paid time off.

Resolution # 116 was made by Trustee DelRossi to pay the Village Treasurer position \$22.49 an hour. Seconded by Trustee Locke. Vote- Trustee DelRossi, Trustee Locke, Trustee Chapman-yes; Trustee Grant voted no. Carried.

Police Chief Boehme reported 123 complaints were investigated-102 cleared by investigation and 10 were cleared by arrest. 15 offenses were charged- 4 aggravated unlicensed operation 3<sup>rd</sup> degree, 4 driving while intoxicated, 2 operated motor vehicle with suspended registration, 1 disorderly conduct, 1 leash law violation, 1 grand larceny 3<sup>rd</sup> degree, 1 burglary 2<sup>nd</sup> degree, 1 aggravated harassment 2<sup>nd</sup> degree. 6 property damage accidents were investigated and 2 personal injury accidents were investigated. There were no fatalities. 70 vehicle and traffic tickets were issued and 15 parking tickets were issued. 31 assists were rendered- 1 Chatham Fire Department, 15 Chatham Rescue Squad, 4 Columbia County Sheriff's Department, 4 disabled motorist, 5 miscellaneous assists and 2 New York State Police. 10 alarms were answered and there were 5 doors and windows found open on door check.

Resolution #117 was made by Trustee Chapman to have the old police car go to auction. Seconded by Trustee Grant. Vote- Trustee Grant, Trustee Locke, Trustee Chapman, Trustee DelRossi-yes; no negative votes.

Fire Chief Paul Pratt reported 8 alarms for the month of November- 1 suspected train fire, 2 electric lines down/arching, 1 smoke detector activation, 2 carbon monoxide detector activations, 1 backed up furnace and 1 auto accident vehicle into a pole. There were 2 drills for the month of November with 72 total training hours. The ladder truck was sent to KME in Albany to repair a leaking hydraulic hose and fitting. The SCBA packs had their annual inspection done by B-Lann Equipment Co. and 2 packs were found to have problems. One problem is a warranty item and the other pack is non-functional and will be evaluated in their shop. All other equipment is functioning without issues. Santa was brought to the Tracy Hall by fire truck on Friday, December 3<sup>rd</sup> so he could deliver his mailbox and talk to the children in the community. Santa will also be at the fire house on December 17<sup>th</sup> to talk to all the boys and girls. A letter was received from a 3<sup>rd</sup> grade class in Middleburgh thanking the fire department for their help during Hurricane Irene. The fire company also received a proclamation from Board of Supervisors chairman Roy Brown thanking the fire department for their service during and after Hurricane Irene. The new furnace arrived at the fire house and will be installed soon. New entrance roofs

have also been installed and the lighting has been upgraded with sensors for light and motion. There are issues with the new roof at the fire house. There is a newly discovered leak in the banquet hall and the snow slides off the roof on the parking lot side too easily. This will damage the chimney and electrical again if nothing is done. Chief Pratt has spoken to Wes Coon to see if he can find ways to prevent snow from doing any more damage to the building. The dishwasher in the kitchen has been repaired at a cost of \$768 with monies raised from the breakfasts that are held. Chief Pratt announced the resignation of Matt Cross who is moving out of the district. Chief Pratt wished everyone a Merry Christmas and a prosperous and safe New Year.

Trustee Chapman presented his annual report of the Department of Public Works in rhyme format. He also reported that the highway department received all the salt and sand for the upcoming snow season and a new battery has been installed in the dump truck after 4 years. The Town of Chatham helped to take down the flags around the village with his thanks. He wished clerk/treasurer Carol Simmons a very happy retirement.

Trustee Grant gave the Water and Sewer Department report. He stated that the sewer plant is running well as long as we do not get a lot of rain. The sludge dehydrator is also working well. After the last rain storm, the flow was over one million gallons. Edgewood Acres continues to have some problems with their pumps. There was a leak on Houseman Avenue outside of the village limits and this main should be replaced with eight inch ductile iron line. He suggested again that there should be talk about forming water district in Ghent. The River Street water line was successfully completed and he expected the cost to come in well below the previous estimate given. The DPW will temporarily repair pavement with cold patch until more permanent repairs can be made in the spring. The 2001 F-350 water truck is having a flat bed body put on to replace the old one.

Engineer Patrick Prendergast reported that the bids for the new Waste Water Treatment Plant were opened last Friday. 6 electrical contractors and 7 general contractors put in a bid for this project. Goold Erectors came in the lowest with a bid of \$229,394 for the electrical portion and Gallo Construction was the lowest bidder for the general construction at \$1,348,700.

Resolution #118 was made by Trustee Chapman to accept the recommendation of Mr. Prendergast to go with the lowest bidders for this project. Seconded by Trustee Grant. Vote- Trustee Chapman, Trustee Grant, Trustee Locke, Trustee DelRossi-yes; no negative votes.

Mayor Curran asked the Board if they were willing to discuss plans by the Department of Transportation that will extend Main Street. Board members discussed some options that could be made and they were open to more discussions with DOT at a later date. Vote- Trustee Chapman, Trustee Locke, Trustee DelRossi- yes; Trustee Grant voted no.

Resolution # 119 was made by Trustee Grant to accept the Health Care contract holding up the vision portion until more information is collected regarding this from the union. Seconded by Trustee DelRossi. Vote- Trustee Grant, Trustee Chapman, Trustee DelRossi, Trustee Locke- yes; no negative votes.

Resolution #120 was made by Trustee Chapman to grant Chris Sperl 5 days vacation pay. Seconded by Trustee Locke. Vote Trustee Chapman, Trustee Grant, Trustee Locke, Trustee DelRossi- yes; no negative votes.

Resolution #121 was made by Trustee Chapman to grant 5 days vacation pay to Barbara Fischer. Seconded by Trustee DelRossi. Vote- Trustee Grant, Trustee Locke, Trustee DelRossi, Trustee Chapman- yes; no negative votes.

The following budget transfers were approved;

Budget transfer from 19904A, Contingency to 10104A, Board of Trustees miscellaneous, \$130.00 to cover overage for Trustee DelRossi's attendance at the NYCOM conference. Only \$50.00 had been budgeted.

Budget transfer from 19904A, Contingency, to 85104A, Beautification, \$286.75 to cover the expense of the flagpole lighting in Veteran's Square.

A budget transfer of \$6635.00 from .1 account to .2 account.

The following budget amendments were also made;

A budget amendment to increase Safety Inspector equipment, 36202A, to include the rebate of \$50.00 that was received when his computer was purchased.

A budget amendment to increase Clerk/Treasurer equipment, 13252A, by \$6635.00 from monies transferred to the General Fund from the .1 accounts.

A budget amendment to set aside funds for Treasurer training from the .1 accounts.

Public comment:

The light on the eagle on the Town Clock is out and was asked to be fixed.

Wendy Carroll thanked the Board for putting the lights on the poles for the holidays.

Resolution #122 was made by Trustee Chapman to adjourn the meeting at 10:20 pm. Seconded by Trustee DelRossi. Vote- Trustee Chapman, Trustee Grant, Trustee Locke, Trustee DelRossi-yes; no negative votes.

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Village Clerk

DECEMBER 29, 2011

EXECUTIVE SESSION:

Attendance: Mayor Curran, Trustee Chapman, Trustee Locke, Trustee Grant, Trustee DelRossi, Nelson R. Alford, Esq., Village Clerk Barbara Fischer

Mayor Curran opened the meeting at 5:33 pm.

Resolution #123 was made by Trustee Chapman to go into executive session. Seconded by Trustee DelRossi. Vote-Trustee DelRossi, Trustee Chapman, Trustee Locke, Trustee Grant- yes; no negative votes.

Resolution #124 was made by Trustee Locke to adjourn the executive session at 7:48 pm. Seconded by Trustee DelRossi. Vote- Trustee DelRossi, Trustee Grant, Trustee Chapman, Trustee Locke, Trustee DelRossi- yes; no negative votes.

Resolution #125 was made by Trustee Chapman to adjourn the meeting at 7:49 pm. Seconded by Trustee Locke. Vote- Trustee Chapman, Trustee Grant, Trustee Locke, Trustee DelRossi-yes; no negative votes.

