

**VILLAGE OF FLEISCHMANN'S**

**BOARD MEETING**

**April 9th, 2018**

The Village of Fleischmann's Board of Trustees held their regular Village Board meeting on Monday, April 9th, 2018 at the Skene Memorial Library at 6:00 p.m. Present were: Mayor Donald E. Kearney, Deputy Mayor Fred Woller, Trustee Larry Reilly, and Trustee John Granito. Also present were Village Trustee Winifred Zubin, Village Clerk Max Mann and Water Superintendent Jim Bucan.

**Board Meeting opened at 6:00 PM.**

**Organizational Appointments**

Organizational Appointments were read aloud and vacant spaces were assigned.

- 1) Deputy Mayor----- Fred Woller
- 2) Village Clerk/treasurer ----- Max Mann, Winifred Zubin
- 3) Village Tax, Water & Sewer Collector----- Max Mann
- 4) Village Bond Attorney-----
- 5) Water Operator ----- Jim Bucan
- 6) Highway Superintendent ----- Fred Woller
- 7) Register of Vital Statistics ----- Max Mann
- 8) Deputy Registrar of Vital Statistics -----
- 9) Health Officer -----Brian Kellahan
- 10) Signatories ----- Max Mann
- 11) Official Bank ----- Community Bank, NBT Bank
- 12) Official Newspaper ----- Catskill Mountain News
- 13) Meeting Dates -----2nd Monday of the month at 6 PM
- 14) Fire Department Liaison ----- Larry Reilly
- 15) Review Auditor ----- Board of Trustees
- 16) Mileage ----- 54.
- 17) Recreation & Parks ----- John Granito
- 18) Prepayment Approval for Electric Utilities -----
- 19) Scenic Byway----- John Dudar & Larry Reilly
- 20) Flood Commissioner -----Larry Reilly & John Granito
- 21) Pool Administrator ----- Tabled
- 22) Fema Liaison-----Larry Reilly
- 23) Highway superintendent/DPW Liaison -----Fred Woller
- 24) Code Enforcement Liaison----- Tabled

Motion made by Fred Woller to accept appointments, All Ayed, Motion Carried.

## **Minutes Review**

Minutes from the previous Board Meeting taking place on March 12, 2018 were read. Motion made by Fred Woller to accept minutes, all ayed, Motion Carried.

## **Board Meeting Opened at 6:13 PM**

### **Local Law #4**

#### LOCAL LAW NO. 4 OF 2018

#### A LOCAL LAW TO MAKE PAYMENT OF TAXES A PREREQUISITE FOR A BUILDING PERMIT

Be it enacted by the Village Board of the Village of Fleischmanns as follows:

Section 1. Legislative Intent: It is the intent of this local law to assure that, prior to being issued a building permit, a resident has paid all taxes, water and sewer charges, and any other charge due to the Village.

Section 2. Authority: This local law is adopted pursuant to Home Rule

Section 3. Subject to Section 5 below, no building permit shall issue to a property owner within the Village who owes the Village any taxes, water or sewer charges or any other debt to the Village.

Section 4. Upon receipt of an application for a Building Permit, the Code Enforcement Officer (or his/her designee) ("CEO") shall determine whether the applicant has any outstanding balance owed to the Village. To assist in this determination, the Village Treasurer or Clerk shall provide the CEO with a monthly list of residents owing money to the Village. In the event that the applicant's name is on the most recent list of residents with an outstanding balance, the CEO shall (1) accept a receipt from the Village Clerk as prima facie evidence that the balance has been paid and issue the requested permit; or (2) contact the Village Treasurer or Clerk to determine the current status of the resident's account. In the event that the balance has been paid, the building permit shall be issued.

Section 5. The requirements of this Local Law shall be suspended for a period of sixty days following the expiration of any state of emergency declared by the Mayor. At other times the requirements of this Local Law may be waived by a majority of the Village Board upon an application from a property owner showing hardship.

Section 6. Severability: If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly

involved in the controversy in which such judgment or order shall be rendered.

Section 7. This local law shall take effect immediately upon filing with the Secretary of State.

Local Law # 4 was read and the public hearing was motioned to be set on May 14th at 6:00 PM by Mayor Don Kearney, All Ayed, Motion Carried.

### **Mark Project-Peg Ellsworth**

Discussion was held in regard to the theater project.

Mark Project wishes to obtain services from I.R. Contracting to reinstall the vertical sign at the Maxbuilt Theater, 950 Main Street, in Fleischmanns, NY, the same sign, now refurbished that was removed during the restoration of the Theater Facade.

Description of Services: Following the receipt of a signed contract, I.R. Contracting will provide construction services for the installation of the Vertical Sign at the Maxbuilt Theater at 950 Main Street, with completion date of May, 25, 2018. The sign is 14' long, 24" wide, and 10" deep, and is currently located in the westernmost storefront of the Theater.

SCOPE OF WORK: Contractor will provide all services, materials, equipment, and labor necessary for the reinstallation of the vertical sign at the worksite, to include but not limited to affixing the sign to the exterior of the building, adequate structural supports secured to the face of the building, run new wiring from panel in the basement to the sign, protect the utility lines while installing the sign, and test the sign's lighting system, after installation. The sign to be installed in the same location from which it was removed. Contractor is to remove all construction materials and debris from the site following completion of services.

Terms: \$3,750 Total Cost, \$1,750 on commitment, and \$1,750 on completion.

Fleischmanns First contact for coordination of work is Doug Green, (609) 468-6912.

Contractor is to demonstrate workers compensation insurance, and general liability insurance at the \$1,000,000 level.

### **Wastewater Treatment Plant-Jim Bucan**

A temporary Cell Tower is being built behind the Wastewater Treatment Plant, a sight agreement has been issued by sprint regarding rent of the site. The tower is mobile and on wheels, and the agreement was decided by the village on 8/5/2018.

Chemicals for the continual operation the plant have been ordered. Water flow has risen steadily

in the past few weeks. Gangways for the cesspools are strongly being considered as to improve operation of the plant. Water meters are currently being read for the next quarter of water billing, and new meters are requested as to exhaust and close out the EFC fund.

Motion made by Fred Woller to approve purchase of new meters, All Aye, Motion Carried.

### **Flood Buyout**

A Flood Buyout for 45 Bridge st was discussed.

## **RESOLUTION # \_\_\_\_ OF 2018**

### **SUPPORTING PARTICIPATION IN THE NEW YORK CITY FUNDED FLOOD BUYOUT PROGRAM FOR**

#### ***45 Bridge Street, Fleischmanns NY***

**WHEREAS**, the Village of Fleischmanns is subject to flooding that can damage property, close roads, disrupt traffic, and present a public health and safety hazard; and

**WHEREAS**, at the request of local communities, funding from NYC Department of Environmental Protection (DEP) is being made available to help property owners who qualify for the NYC Funded Buyout Program (NYCFFBO) based on eligibility criteria in five categories -1) Hydraulic study property (recommended by engineering analysis), 2) CWC Flood Hazard Mitigation Implementation Program, 3) Community-approved Stream Management Project, Erosion Hazard, and 5) Inundation Hazard, and

**WHEREAS**, The Village of Fleishemans has conducted a Local Flood Analysis (LFA) including hydraulic analysis of flooding in the Village and the LFA recommends certain properties that are subject to repetitive flood damages should be considered for the flood buyout, and

**WHEREAS**, the property at 45 Bridge Street has been recommended for consideration for buyout in the LFA and the Village has been approached by Harriet Grossman, the owner of the property, requesting to participate in the NYCFFBO program under the Hydraulic study category, and

**WHEREAS**, the Village of Fleischmanns has the option to decline ownership of the property choosing instead that the City of New York own the property and the Village understands that these City-owned property will be managed by the City as an open Space. Minimal Management of the property will be performed, such as maintaining boundary lines, posting signs, and annually inspecting the property, and

**WHEREAS**, we understand that the Village-Owned Property will be managed by the Village in conjunction with a Re-Use Plan prepared by the Village that identifies the Communities Long term plan for the management, use, and development of these parcels. All activities are to be subject to and consistent with the restrictions in Flood-Prone Areas identified in the Second Supplemental Agreement Among West of Hudson Watershed Stakeholders Concerning the New York City-Funded Flood Buyout Program, page 5 (1) a., ii., iii., iv., and v..

**NOW, THEREFORE BE IT RESOLVED THAT:**

The Village of Fleischmanns Board of Trustees approves Harriet Grossman, Homeowner 45 Bridge Street to apply for the NYCFBO program to permanently remove this flood hazard risk allowing the DEP to begin assisting them in the real estate process. Further that the Village of Fleischmanns Board of Trustees opts to allow the City of New York owning the property as Open Space with the above acknowledged management conditions.

Resolution offered by: Mayor Donald Kearney

Seconded by: John Granito

Mayor: Donald Kearney      Aye

Trustee: John Granito      Aye

Trustee: Larry Reilly                      Nay

Trustee: Fred Woller      Aye

Dated: April 9th 2018 -----

Max Mann, Village Clerk Village of Fleischmanns

State of New York )

A Flood Buyout for 173 Wagner Ave was discussed. It was agreed that the buyout should be a partial of the parcel to the strip of land that is noted in the flood analysis.

**RESOLUTION # \_\_\_\_ OF 2018**

**SUPPORTING PARTICIPATION IN THE NEW YORK CITY FUNDED FLOOD BUYOUT PROGRAM FOR**

*173 Wagner Ave, Fleischmanns NY*

**WHEREAS**, the Village of Fleischmanns is subject to flooding that can damage property, close roads, disrupt traffic, and present a public health and safety hazard; and

**WHEREAS**, at the request of local communities, funding from NYC Department of Environmental Protection (DEP) is being made available to help property owners who qualify for the NYC Funded Buyout Program (NYCFFBO) based on eligibility criteria in five categories -1) Hydraulic study property (recommended by engineering analysis), 2) CWC Flood Hazard Mitigation Implementation Program, 3) Community-approved Stream Management Project, Erosion Hazard, and 5) Inundation Hazard, and

**WHEREAS**, The Village of Fleishcmanns has conducted a Local Flood Analysis (LFA) including hydraulic analysis of flooding in the Village and the LFA recommends certain properties that are subject to repetitive flood damages should be considered for the flood buyout, and

**WHEREAS**, the property at 173 Wagner Ave has been recommended for consideration for buyout in the LFA and the Village has been approached by Erzebet Zilahy, the owner of the property, requesting to participate in the NYCFFBO program under the Hydraulic study category, and

**WHEREAS**, the Village of Fleischmanns has the option to decline ownership of the property choosing instead that the City of New York on the property and the Village understands that these City-owned property will be managed by the City as an open Space. Minimal Management of the property will be performed, such as maintaining boundary lines, posting signs, and annually inspecting the property, and

**WHEREAS**, we understand that the Village-Owned Property will be managed by the Village in conjunction with a Re-Use Plan prepared by the Village that identifies the Communities Long term plan for the management, use, and development of these parcels. All activities are to be subject to and consistent with the restrictions in Flood-Prone Areas identified in the Second Supplemental Agreement Among West of Hudson Watershed Stakeholders Concerning the New York City-Funded Flood Buyout Program, page 5 (1) a., ii., iii., iv., and v..

**NOW, THEREFORE BE IT RESOLVED THAT:**

The Village of Fleischmanns Board of Trustees approves Erzebet Zilahy, Homeowner 173 Wagner Ave to apply for the NYCFFBO program to permanently remove this flood hazard risk allowing the DEP to begin assisting them in the real estate process. Further that the Village of Fleischmanns Board of Trustees opts to allow the City of New York owning the property as Open Space with the above acknowledged management conditions.

Resolution offered by: Mayor Donald Kearney

Seconded by: John Granito

Mayor: Donald Kearney      Aye

Trustee: John Granito      Aye

Trustee: Larry Reilly                      Nay

Trustee: Fred Woller      Aye

Dated: April 9th 2018 -----

Max Mann, Village Clerk Village of Fleischmanns

State of New York )

**Baseball Game**

Alex from the Mountain Athletic club discussed upcoming events for June & July, as well as the purchase of Ball Field Equipment. Practice and Games are going to be held 5-6 PM on Monday through Thursday, June 9th through July 23rd, with the game being held on September 22nd. Alex also requested a key to the concession stand, and he needs to check out a key from the Village Clerk, once the stand is un-winterized.

Motion made by Fred Woller to purchase more seed for the Ball Field, Mayor Kearney Seconded, All Ayed, Motion Carried. Purchase will be made at Wadler Brothers and the Village Clerks Office will receive an invoice. Larry Reilly agreed to purchase a new chalker and home plate for the Ball Field

Fleischmanns first is going to provide bunting for the event.

**FY 2018 Budget Draft Proposal**

A budget hearing was set for April 23rd at 6:00 PM. Fred Woller Motioned, Larry Reilly Seconded, All Ayed, Motion Carried.

**Treasurer's Report**

The Treasurer presented the Treasurer's Report.

The Village Clerk's office requested authorization from the Board to open an Amazon Credit card for office purchases.

**Vouchers**

Motion Made by \_\_\_\_\_ to pay Vouchers, seconded by \_\_\_\_\_ All Aye, Motion Carried.

**Adjourn**

Motion made by Mayor Kearney to adjourn, All Ayed; Motion Carried

Dated: April 9th 2018 -----

Max Mann, Village Clerk Village of Fleischmanns

State of New York )

)ss: County of Delaware)

I, Max Mann, Village Clerk of the Village of Fleischmanns, New York do hereby certify that the foregoing is a true & correct transcript of a resolution adopted by the Board of Trustees of the Village of Fleischmanns, New York on January 9, 2017 and the whole thereof.

----- Max Mann, Village Clerk