

VILLAGE OF FLEISCHMANN'S BOARD MEETING MINUTES
June 10, 2019

The Village of Fleischmann's Board of Trustees held their regular Village Board meeting on Monday, June 10, 2019 at the Skene Memorial Library at 6:00 p.m. Present were: Mayor Fred Woller, Trustee Daniel Halpren, Trustee Larry Reilly, and Trustee Ben Fenton, and Trustee Granito. Also present were Village Treasurer Winifred Zubin. In the absence of the new Village Clerk due to a previous commitment, and the Deputy Clerk due to a death in the family, meeting minutes taken by Village Treasurer.

Board Meeting opened at 6:01 PM.

Minutes

Board Meeting on May 13, 2019 Motion to approve minutes Reilly, second Woller, unanimous.

Organizational Appointments

The following appointments were made by the Mayor:

Village Clerk	Stacie E. Skelley
Deputy Registrar of Vital Statistics	Ben Fenton
Code Enforcement Liaison	Fred Woller

Founders Day Proclamations

Michelle Sidrane, Event Manager for the Fleischmann's Founders Day reported on a successful event June 8 in the village park. Approximately 600 persons attended the Parade, Baseball game, Bakeoff, Children's games. State Senator Jim Seward, State Assemblyman Chris Tague, each read proclamations, additional proclamations were read from the National Baseball Hall of Fame, Governor Andrew Cuomo and are attached to the minutes.

Treasurers report

Treasurers report for the year ended June 30, 2019 was submitted, Motion to accept Fenton, Second Reilly., unanimous. Reilly requested a comparison of tax collections compared to prior year. Reilly reported that closeout paperwork for FEMA project worksheets for the Park have been submitted.

Old Business:

Fleischmann's Gateway project update report by the Mark Project:

- Garcia Construction contract for construction of the Kiosk was approved (attached below) and Locust Grove bid proposal was accepted. (attached below)
- Rob Alverson, chair of the steering committee plans a site meeting with Garcia to review placement of the kiosk and to confirm further details of the contract.
- Mark Project solicited bids from Locust Grove Enterprises, Lucky Dog Marketing, Blue Sparks Services and Timely Signs for proposals on the panel design. The only proposal received was from Locust Grove. All the others replied that they did not have the time or were not interested. Motion to accept bid proposal Fenton, second Woller. Contract to be drafted by Mark Project.

Clean Energy Community Initiative report by Dan Halpren

- The village of Fleischmann's is participating in this initiative with the assistance of Transitions Catskills
- With the adoption of the attached resolutions, and the confirmation that the Code Enforcement officer has been certified as to the Clean Energy Initiative, the Village will have completed 3 activities that will qualify the Village as a Clean Energy Community.
- Halpren read the Solar Permit Process resolution. Motion to adopt Reilly, second Halpren, unanimous. (attached below)
- Halpren read the Energy Benchmarking Requirements resolution. Motion to adopt Halpren, second Fenton, unanimous. (attached below)

New Business:

Parking Enforcement

- Fred Woller reported on our current parking local law and the need to simplify, change the fine structure, and the ability to appoint parking enforcement officers.

- Need to repeal current law and replace it
- Workshop meeting is scheduled for Thursday June 13 at 5pm to draft a replacement law
- Public meeting is to be scheduled July 8 at 6pm before the regular board meeting on the proposed Parking law

Foil request re Sewer rates

- Alan White, proprietor of Two Stones Farm Store at 1060 Main Street submitted a FOIL request letter dated 6/5/2019. Response to the FOIL request was delegated to the village clerk and office staff
- Existing relevant documents are to be provided when available
- The issue of high sewer rates for commercial or mixed-use properties has been widely discussed, and affects all municipalities that have DEC funded Waste Water Treatment plants. The village does not have the ability to influence given the agreements negotiated with NYCDEP years ago. Fenton suggest the village grieve to Catskill Watershed Corporation (CWC) who represented municipalities in these negotiations. Woller to follow up with the CWC attorney.

Ice Skating rink

- Dan Halpren reported that Fleischmanns First requests permission to establish an ice-skating rink in the Village Park on Wagner Avenue. He indicated it would be a temporary fixture, intended for daytime use.
- The Trustees requested details of the plan and to determine from the code enforcement officer if it was allowable in the flood plan and whether permits are needed, what liability exposure would the village have, and what insurance is needed and in what amounts; Who would be the owner-the village or an outside party?
- The Trustees requested a presentation to the board on a minimal facility with no refrigeration

State Funding available from the Forest Service and DEC for firefighting equipment

- Reilly reported on an available matching grant with local match of \$3,000 for personal safety fire fighting equipment for the fire department.
- Fire department is requested to submit a short proposal including an itemized list of equipment. Mark Project will submit the proposal to the funding source
- Motion to approve applying for this grant Reilly, second Halpren.

Consolidated Funding Projects Resolution needed

- A Board resolution is needed at the July 8 meeting authorizing the Mark Project to submit a Proposal on behalf of the village.

Public Comment

- Questions were raised regarding the growing presence of Air B & B's in the village and what impact that has on the village. It was recommended that the village discuss with other municipalities how they are thinking about the issue. Ben Fenton offered to reach out to Margaretville, whose planning board has been discussing the issue for a year and report back.
- Vicky Szerko presented a memo with recommendations regarding garbage, parking, lawns and trees, density of occupancy, preservation of the tax base, and expanding the voter base.

Village of Fleischmanns Gateway Project

Program funds granted by: **NYS DEC Catskill Park Smart Growth
Contract T00045G**
Program administered by: **The MARK Project Inc.**

Name of Owner: Village of Fleischmanns
Project Address: East Entrance to the Village of Fleischmanns (At Base of High Mount)
*Tax Map#*287.18-6-22
Contracting Company: Garcia Construction, Arturo Garcia (Owner)

The undersigned contractor proposes to furnish equipment, labor and materials required to perform the tasks outlined in the attached project work scope. All work to be completed in a workmanlike manner and according to standard trade practices. Any alteration or deviation from this agreement will be executed only upon written consent of the property owner, contractor and a MARK representative. **No extra costs will be paid unless otherwise approved by Fred Beemer, MARK Rehabilitation Specialist. If the contractor feels the original costs need to be re-examined, it is the contractor's responsibility to contact the MARK office to set up an inspection of the proposed revisions PRIOR to any further work being performed.**

The contractor agrees that in the performance of the work under this agreement, it shall act as an independent contractor, and all of its agents and employees, and the agents and employees of its sub-contractors if any, shall be subject solely to the control, supervision and authority of the prime contractor or its sub-contractor with the right of inspection, by the M-ARK Project and owner, being reserved herein to evaluate completed work in connection with payments and performance of work as specified. The contractor shall adequately protect the materials, the work, persons at the work site, the general public, any adjacent property and assume all risks of the premises and indemnity and hold harmless the owner, the MARK Project, Inc. its directors, agents, officers and employees, from and against any and all claims and/or demands including all costs and expenses, including attorney's fees, for injury or alleged injury or death to persons, or damage to property, caused by, arising from, incidental to, connected with or growing out of the work performed by the contractor or any sub-contractor or agent of the contractor, provided, however, that such indemnification and hold harmless agreement shall not apply to claims for injury or alleged injury or death to persons, or damage to property, other than loss of, damage to, or loss of use of contractors property, if caused by the sole negligence of owner.

The contractor will not assign the contract without written consent of the owner and the M-ARK Project. Request of assignment will be sent to the MARK Project and the owner.

The contractor shall procure and maintain General Liability, Disability and Workman's Compensation insurance, and furnish Certificates of said insurance to the MARK Project.

As an EQUAL OPPORTUNITY EMPLOYER, the contractor agrees to take affirmative action to ensure fair employment standards and follow guidelines for such activity.

Contracting Company	Authorized Signature	Date
_____	_____	_____
Property Owner	Authorized Signature	Date
_____	_____	_____

LISA TAIT, Partner
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3- pages, plus attached samples

PROJECT DESCRIPTION:

DESIGN AND PRODUCTION OF PRESS READY ART FOR:

- (6) 4C Panels, 24" x 36"
- (4) original map illustrations – which will be shown as a price range.
Final estimates for each map illustration is available upon request when specifications are provided such as approximate region to be covered and degree of detail required for streets, rivers, municipalities and points of interest.

MATERIALS: Prices assume photos, text, and any logo art will provided by the client as press quality digital files.

DESIGN PROCESS INCLUDES: An initial meeting; showing up to 3 design approaches per panel and up to 2 refinements of the selected design to meet the assignment; an initial map illustration based on client specifications and up to 3 refinements as needed; designs provided as pdfs via e-mail or online file sharing tools.

PRODUCTION PROCESS INCLUDES: research and purchase of use of up to 6 stock images as needed; enhancement of up to 24 photos (4 per panel); all costs for producing press ready PDFs; printer liaison; review of printer proofs.

DESIGN AND PRODUCTION PROCESS ASSUMES the kiosk committee will assign one point person who will be responsible for delivering and receiving materials and communicating instructions.

PRICE ESTIMATES DO NOT INCLUDE: changes to the assignment description, additional meetings, rush schedule, revisions beyond those described above, additional work needed to make client-provided materials press ready, or use of the final art or maps for other purposes.

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Project ESTIMATE

INITIAL MEETING AND PROJECT REVIEW \$80
(Additional meeting time is available upon request @ \$30/hour/per person)

PANEL DESIGN DEVELOPMENT, PRE PRESS PRODUCTION AND PRINTER LIAISON:

DESIGN / PROTOTYPE PANEL– The first panel will be used to establish the overall look
which will be applied to all the panels to create a cohesive series \$625

DESIGN / ADDITIONAL PANELS – Based on prototype / (5) PANELS @ \$350 = \$1,750

PREPRESS PRODUCTION – (6) Panels @ \$140 = \$840

PANEL DESIGN AND PRE PRESS SUBTOTAL FOR 6 PANELS \$3,215

PRINT/SHIPPING 6 PANELS, 24 in. x 36 in. 4 mm aluminum \$85 ea. x 6 \$480

ORIGINAL MAP DESIGN AND VECTOR ILLUSTRATIONS (PANELS 3, 4, 5, 6):

PRICE RANGE: \$275 - \$675 per map x (4) Maps =

MAP ILLUSTRATION RANGE SUBTOTAL FOR 4 MAPS – see above..... \$1,100 - \$2,700

MEETING TIME & COPYWRITING FOR PANELS 1 AND 2 – DEPENDING MATERIALS SUPPLIED \$250-400

TERMS: 50% TO COMMENCE PROJECT. BALANCE UPON COMPLETION.

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SCHEDULE / STANDARD TURNAROUND TIMING:

This schedule assumes some staggering in development of project materials.

5-10 business days for prototype design (from date of receipt of materials and instructions)
3-5 business days for new designs (if needed)
5-10 business days for additional panel designs
3-5 business days for new designs (if needed)
1-2 business days for revisions (if needed)
5-10 business days for production of press ready art

ABOUT SILVERTOP GRAPHICS:

Silvertop Graphics is experienced in creating high quality graphic design for clients nationwide. It is a NYS certified M/WBE graphic business. Offices are located in New Kingston, a hamlet of Middletown in Delaware County, NY. The studio has serviced clients throughout Delaware County, upstate New York beyond since 1989. The company website is being updated. Samples of more recent projects is available at the portfolio page in production at: <http://dev.silvertopgraphics.com/portfolio-classic/>

Partners Lisa Tait and Dan Flanagan both graduated with degrees in illustration from the Rhode Island School of Design in Providence, Rhode Island. After several years experience in New York City advertising and marketing firms — serving clients such as CBS Radio, General Foods Corporation and Pepsi-Cola — Dan and Lisa established Silvertop Graphics. The original offices were in New York City, where they served a range of clients including Tavern on the Green, Broadcast Music, Inc., the Brooklyn Botanical Garden, the Helmsley Hotel, Cuisine Magazine and TV Guide.

Clients served on similar kiosk and display panel projects: :(See pdf to view samples)

- Catskill Watershed Association (watershed kiosk design)
- Central Catskills Chamber of Commerce (map and kiosk panels)
- Delaware & Ulster Railroad (hiking trail map illustration and kiosk panels)
- Linda Norris (museum kiosk panels, self guided historic tour banners)
- SUNY Delhi Alumni Relations & Annual Giving (alumni event posters)
- Town of Hamden (kiosk panel design)
- Upstate History Alliance (traveling museum panels)

References for Display Panel Design and Production:

[Lucinda Bryden](#), Director, SUNY Delhi Alumni Relations & Annual Giving 607 746-4602

[Linda Norris](#), museum consultant, former Director of both the

Delaware County Historical Association and Upstate Historical Alliance 607 829-3501

[Diane Galusha](#), Communications Director, Catskill Watershed Corporation 845 586-1400

[Wayne Marshfield](#), Supervisor, Town of Hamden 607 746-6660

RESOLUTION NO. 001-2019

ADOPT THE NEW YORK STATE SOLAR PERMIT PROCESS

Motion By: Larry Reilly; Seconded By: Dan Halpren

WHEREAS, the New York State Energy Research and Development Authority (NYSERDA), together with the New York Power Authority (NYPA) and City University of New York (CUNY), developed a New York State Unified Solar Permit that reduces the cost for solar projects by streamlining municipal permitting processes;

WHEREAS, the Village of Fleischmanns wants to promote the streamlining of the application process for small-scale photovoltaic system installations by adopting the New York State Unified Solar Permit application form and implementing the new procedures;

NOW THEREFORE, BE IT RESOLVED, that the Village of Fleischmanns adopts the New York State Unified Solar Permit;” and

RESOLVED, that the Village of Fleischmanns Code Enforcement Officer is hereby directed to use the New York State Unified Solar Permit application form and procedures in issuance of building permits for the installation of small-scale solar photovoltaic systems; and

RESOLVED, that the Village of Fleischmanns establishes a non-refundable permit fee for such permits in the amount of 50 Dollars (\$50) per permit.

Passed by the following vote of all Village of Fleischmanns Members voting in favor thereof: Affirmative Village of Fleischmanns Board Members: Affirmative: 5 Negative: 0 Abstain: 0,

The vote on the foregoing resolution was as follows:

Fred Woller, Mayor	AYE/ NAY
Larry Reilly, Trustee	AYE/ NAY
Dan Halpren, Trustee	AYE/ NAY
Ben Fenton, Trustee]	AYE/ NAY
John Granito, Trustee	AYE/ NAY

This resolution was adopted.

Dated: June 10, 2019 -----
Winifred Zubin, Village Treasurer, Village of Fleischmanns
State of New York)) ss: County of Delaware)

I, Winifred Zubin, Village Treasurer 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 June 10, 2019 and the whole thereof.

_____, Village Treasurer.

RESOLUTION NO. 002-2019

**ESTABLISHING ENERGY BENCHMARKING REQUIREMENTS FOR
CERTAIN MUNICIPAL BUILDINGS**

Motion By: Dan Halpren; Seconded By: Ben Fenton

WHEREAS, buildings are the single largest user of energy in the State of New York. The poorest performing buildings typically use several times the energy of the highest performing buildings—for the exact same building use; and

WHEREAS, collecting, reporting, and sharing building energy data on a regular basis allows municipal officials and the public to understand the energy performance of municipal buildings relative to similar buildings nationwide, and equipped with this information the Village of Fleischmanns is able to make smarter, more cost-effective operational and capital investment decisions, reward efficiency, and drive widespread, continuous improvement; and

WHEREAS, the Village of Fleischmanns desires to use Building Energy Benchmarking - a process of measuring a building's energy use, tracking that use over time, and comparing performance to similar buildings - to promote the public health, safety, and welfare by making available good, actionable information on municipal building energy use to help identify opportunities to cut costs and reduce pollution in the Village; and

WHEREAS, the Village of Fleischmanns desires to establish procedure or guideline for village staff to conduct such Building Energy Benchmarking; and

NOW THEREFORE, IT IS HEREBY RESOLVED AND DETERMINED, that the following specific policies and procedures are hereby adopted;

BUILDING ENERGY BENCHMARKING POLICY/PROCEDURES

§1. DEFINITIONS

(A) "Benchmarking Information" shall mean information generated by Portfolio Manager, as herein defined including descriptive information about the physical building and its operational characteristics.

(B) "Building Energy Benchmarking" shall mean the process of measuring a building's Energy use, tracking that use over time, and comparing performance to similar buildings.

(C) "Commissioner" shall mean the head of the Department.

(4) "Covered Municipal Building" shall mean a building or facility that is owned or occupied by the Village that is 1,000 square feet or larger in size.

(5) "Department" shall mean the Village Clerk.

(6) "Energy" shall mean electricity, natural gas, steam, hot or chilled water, fuel oil, or other product for use in a building, or renewable on-site electricity generation, for purposes of providing heating, cooling, lighting, water heating, or for powering or fueling other end-uses in the building and related facilities, as reflected in Utility bills or other documentation of actual Energy use.

(7) "Energy Performance Score" shall mean the numeric rating generated by Portfolio Manager that compares the Energy usage of the building to that of similar buildings.

(8) "Energy Use Intensity (EUI)" shall mean the kBTUs (1,000 British Thermal Units) used per square foot of gross floor area.

(9) "Gross Floor Area" shall mean the total number of enclosed square feet measured between the exterior surfaces of the fixed walls within any structure used or intended for supporting or sheltering any use or occupancy.

(11) "Portfolio Manager" shall mean ENERGY STAR Portfolio Manager, the internet-based tool developed and maintained by the United States Environmental Protection Agency to track and assess the relative Energy performance of buildings nationwide, or successor.

(12) "Utility" shall mean an entity that distributes and sells Energy to Covered Municipal Buildings.

(13) "Weather Normalized Site EUI" shall mean the amount of Energy that would have been used by a property under 30-year average temperatures, accounting for the difference between average temperatures and yearly fluctuations.

§2. APPLICABILITY

(1) This policy is applicable to all Covered Municipal Buildings as defined in Section 2 of this policy.

(2) The Commissioner may exempt a particular Covered Municipal Building from the benchmarking requirement if the Commissioner determines that it has characteristics that make benchmarking impractical.

§3. BENCHMARKING REQUIRED FOR COVERED MUNICIPAL BUILDINGS

(1) No later than May 1, 2017, and no later than May 1 every year thereafter, the Commissioner or his or her designee from the Department shall enter into Portfolio Manager the total Energy consumed by each Covered Municipal Building, along with all other descriptive information required by Portfolio Manager for the previous calendar year.

(2) For new Covered Municipal Buildings that have not accumulated 12 months of Energy use data by the first applicable date following occupancy for inputting Energy use into Portfolio Manager, the Commissioner or his or her designee from the Department shall begin inputting data in the following year.

§4. DISCLOSURE AND PUBLICATION OF BENCHMARKING INFORMATION

(1) The Department shall make available to the public on the internet Benchmarking Information for the previous calendar year:

(a) no later than September 1, 2017 and by September 1 of each year thereafter for Covered Municipal Buildings; and

(2) The Department shall make available to the public on the internet and update at least annually, the following Benchmarking Information:

(a) Summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information; and

(b) For each Covered Municipal Building individually:

(i) The status of compliance with the requirements of this Policy; and

(ii) The building address, primary use type, and gross floor area; and

(iii) Annual summary statistics, including site EUI, Weather Normalized Source EUI, annual GHG emissions, and an Energy Performance Score where available; and

(iv) A comparison of the annual summary statistics (as required by Section 5(2)(b)(iii) of this Policy) across calendar years for all years since annual reporting under this Policy has been required for said building.

§5. MAINTENANCE OF RECORDS

The Department shall maintain records as necessary for carrying out the purposes of this Policy, including but not limited to Energy bills and other documents received from tenants and/or Utilities. Such records shall be preserved by the Department for a period of three (3) years.

§6. ENFORCEMENT AND ADMINISTRATION

(1) The Commissioner or his or her designee from the Department shall be the Chief Enforcement Officer of this Policy.

(2) The Chief Enforcement Officer of this Policy may promulgate regulations necessary for the administration of the requirements of this Policy.

(3) Within thirty days after each anniversary date of the effective date of this Policy, the Chief Enforcement Officer shall submit a report to the Village board, including but not limited to, summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information, a list of all Covered Municipal Buildings identifying each Covered Municipal Building that the Commissioner determined to be exempt from the benchmarking requirement and the reason for the exemption, and the status of compliance with the requirements of this Policy.

§7. EFFECTIVE DATE

This policy shall be effective immediately upon passage.

§8. SEVERABILITY

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.

Passed by the following vote of all Village of Fleischmanns Members voting in favor thereof: Affirmative Village of Fleischmanns Board Members: Affirmative: 5 Negative: 0 Abstain: 0,

The vote on the foregoing resolution was as follows:

Fred Woller, Mayor	AYE/ NAY
Larry Reilly, Trustee	AYE/ NAY
Dan Halpren, Trustee	AYE/ NAY
Ben Fenton, Trustee]	AYE/ NAY
John Granito, Trustee	AYE/ NAY

This resolution was adopted.

Dated: June 10, 2019 -----
Winifred Zubin, Village Treasurer, Village of Fleischmanns
State of New York)) ss: County of Delaware)

I, Winifred Zubin, Village Treasurer 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 June 10, 2019 and the whole thereof.

_____, Village Treasurer.

Vouchers

Vouchers: Motion to pay

OFFERED BY: Mayor Fred Woller
Seconded by: **Trustee Larry Reilly**

WHEREAS, The Department of Audit and Control requires Village Boards to sign and inspect all vouchers coming into the Village for payment, to number and total amounts from each fund. All trustees present ayed, motion carried, vouchers signed.

THEREFORE, BE IT RESOLVED that the Village Board authorizes the following vouchers paid:

General Fund	\$18,709.05	Vouchers 1-26
Water Fund	5,045.12	Vouchers 1-9
Sewer Fund	29,187.08	Vouchers 1-11

	\$ 52,941.25	

Adjourn

Motion made by Reilly to adjourn, seconded by Woller, all ayed; motion carried, meeting adjourned at 8:00 PM.

Dated: June 10, 2019 -----
Winifred Zubin, Village Treasurer, Village of Fleischmanns
State of New York) ss: County of Delaware)

I, Winifred Zubin, Village Treasurer of the Village of Fleischmanns, New York do hereby certify that the foregoing is a true & correct transcript of the minutes, motions, and resolutions adopted by the Board of Trustees of the Village of Fleischmanns, New York on June 10, 2019 and the whole thereof.

_____, Village Treasurer.