

**FINAL AGENDA**  
**Regular Monthly Meeting Agenda**  
**Monday, January 13, 2020 at 6 pm**

## Public Notice

1. Call to Order
2. Roll Call
3. Approval of prior minutes
  - a. November 18, 2019 VB Regular Meeting Minutes
  - b. December 16, 2019 VB Regular Meeting Minutes
4. Recognize: Werewolves Within - upcoming film shoot - Jeff Brown (location Manager) - Larry Reilly
5. Water and Sewer Reports – Jim Buchan
  - a. Jim Buchan “Board Meeting Thoughts” December 2019
  - b. Cedarwood Environmental Report December 2019
  - c. DRBC Annual AEMR Monitoring Report 2019
6. Treasurer’s Financial Report – Winifred Zubin
  - a. 12/31/19 Financial Report and Forecast to accept
  - b. Sewer Dept Budget 4/1/2020-3/31/2021 prepared by Cedarwood for review and adoption
  - c. Annual Financial Report (AUD) 2019 submitted and accepted by NYS Comptroller
  - d. Report on Status of Board Goals from February 2018
  - e. Timetable for Budget 6/1/2020-5/31/2021
  - f. Water Billing Report 1/13/2020
7. Parking Enforcement procedures for unpaid parking tickets – Igor Gofman
8. Old Business
  - a. Status: Wagner Ave: Tree removal – Fred Woller
  - b. Status: Wagner Ave: Oil and stone – Fred Woller
  - c. Status: Sidewalk Workshop #3
  - d. Status: M-ark Project/
    - i Kiosk revisioning – Ben Fenton
    - ii CFA Fleischmanns Waterfront Revitalization Program 2019 Grant Denied
    - iii M-ark Project/Lamont Engineering Theatre Feasibility Study – Larry Reilly
  - e. Status: Dissolution Vote
9. New Business
  - a. 001-2020 Resolution Wednesday March 18 Village Elections for two seats – Village Clerk
  - b. 002-2020 Resolution to appoint election inspectors – Village Clerk
  - c. Delaware County Planning service - \$3500
  - d. Village Government Facebook page – added by Larry Reilly at the meeting
10. Public Comments
11. Vouchers
12. Meeting Adjournment

For more information Contact Village Clerk at 845-254-5514 or [village39@catskill.net](mailto:village39@catskill.net)

VILLAGE OF FLEISCHMANN'S BOARD REGULAR MEETING MINUTES  
January 13, 2019

The regular meeting of the Village of Fleischmann's Board of Trustees was held Monday, January 13, 2019 at 6:00 p.m. at the Skene Memorial Library, 1017 Main Street, Fleischmann's, New York.

Mayor Fred Woller called the meeting to order at 6:04 pm and called Roll Call at 6:04 pm., Fred Woller, Larry Reilly, Ben Fenton and John Granito were present. Trustee Dan Halpren was absent. In attendance was Village Treasurer Winifred Zubin, Deputy Village Clerk Paula DeSimone and Municipal Attorney Carey Wagner. Media present were Michael Martin of The Mountain Eagle and Eddie Donohue of The Catskill Mountain News. Also present were Gloria Zola-Mulloy, Sally Simon, Todd Pflieger, Roy S. Todd, and Jeff Brown and Brian Morgan.

### Minutes

**Motion** to approve November 18, 2019 VB Regular Meeting Minutes made by Fred Woller; seconded by John Granito. All ayes; motion carried.

**Motion** to approve December 16, 2019 VB Regular Meeting Minutes made by Larry Reilly; seconded by Ben Fenton. All ayes; motion carried.

### Werewolves Within - upcoming film shoot

Trustee Larry Reilly acknowledge/recognize Jeff Brown, location manager and previously location manager for Zombies made in the Village and thanked the village for their support. "Werewolves Within" will be filming about Feb 3 to Feb 23, 2020 on private property within the village and will not be working during the weekends. They are looking for rental support properties (see flyer). There will not be a need for extras while in Fleischmann's but may need a few extras while filming in Phoenicia and/or Margaretville. Josh Rubin the director is from Woodstock (location Manager).

**Water and Sewer Report** – WWTP reports by Cedarwood's Jim Buchan emailed to all board members.

- e. Jim Buchan "Board Meeting Thoughts" December 2019
- f. Cedarwood Environmental Report December 2019
- g. DRBC Annual AEMR Monitoring Report 2019

**Motion** to accept WWTP Reports made by Fred Woller; seconded by Larry Reilly. All ayes; motion carried.

### Treasurers reports

Treasurers financial reports through December, 2019, 7<sup>th</sup> month of the Fiscal Year, submitted by Village Treasurer Winifred Zubin. Collections compared to prior year: Taxes 91.6% versus 88.7%; Water 63.2% versus 46.1%, Sewer 85.37% versus 92.6.5%.

- a. **Financial Report and Forecast dated 12/31/19.** Winifred Zubin reported that the Village of Fleischmann's is on or better than budget for all funds. The forecast for year-end reflects better than budgeted outcomes. Should the DPW replacement truck not be delivered this fiscal year, the general fund would further improve by \$35,000.

**Motion** to accept Financial Report and Forecast made by Fred Woller; seconded by Ben Fenton. All ayes; motion carried.

- b. **Sewer Dept Budget 4/1/2020-3/31/2021** prepared by Cedarwood for review and adoption. Residential sewer to increase by 1.9% to \$122.xx from \$119.72 per year. EDU's for non-residential properties increased by two (2) commercial properties lowering the subsidy for the non-residentials and therefore the increase in their annual sewer levy.

Roy Todd asked about the costs of Cedarwood as Waste Water Treatment Plant operator possibly being higher than other village/town operations. Larry Reilly responded that Cedarwood operates 5 sewer systems of a similar model as Fleischmann's where the village or town operates the system unlike Margaretville where NYC runs the sewer plant. Larry Reilly also noted that as a member of the

VILLAGE OF FLEISCHMANN'S BOARD REGULAR MEETING MINUTES  
January 13, 2020 (continued)

Coalition of Watershed Towns (CWT) he discussed the importance of renegotiating the non-residential subsidies to treat them more fairly. CWC can help advocate for all the WWTP's funded by NYC DEP. CWT does not see NYC DEP agreeing to renegotiate until next MOU, nearly 10 years from now.

**Motion** to accept Cedarwood Sewer Budget made by Larry Reilly; seconded by Fred Woller. All aye; motion carried.

- c. **FYI - Annual Financial Report (AUD) 2019** submitted and accepted by NYS Comptroller.
- d. **Report on Status of Board Goals from February 2018.**

Winifred Zubin noted that Board Goals need to be updated for 2020-2021 to inform the budget process.

**Board Goals 2018-2019 Status**

Goals for the Year 2018-2019, around which we invested our time and allocated budgets. Goals were affirmed at Village Board Meeting April 2018.

<b>General</b>	<b>STATUS</b>
1. Build the Fleischmann's Swimming pool	<i>In-process; expected completion Spring 2020</i>
2. Complete East Entrance sign project	<i>Ben Fenton: Revisioning w/M-ark Project</i>
3. Complete FEMA documentation and billing/Receivable process	<i>In progress</i>
4. Upgrade systems and procedures in the village office	<i>Improved coordination among water, tax and sewer accounting, public office hours 11-3 M-F</i>
5. Develop plan for the FEMA buyout properties currently owned by the County	<i>No action</i>
6. Increase financial capacity to fund annual operations and grant funded projects	<i>ongoing</i>
<b>Highway/Road infrastructure</b>	
7. Rebuild Fleischmann's Heights culvert	<i>VC: identified DURR as owner per 1982 deed. Work with DURR and Middletown to resolve responsibility for the culvert.</i>
8. Pave Wagner Avenue	<i>Completed</i>
9. Buy/replace truck	<i>Ordered 2019 for delivery in late Spring 2020</i>
10. Replace current street light fixtures with LED fixtures	<i>Contract signed with NYSEG Sept 2019</i>
11. Complete the Lake Street embankment restoration project	<i>Completed 2019.</i>
12. Deploy Schneider Ave water maintenance grant to fix runoff	<i>Commenced and ongoing</i>
<b>Water Infrastructure</b>	
13. Complete routine maintenance projects	<i>Chlorine shed roof replaced</i>
<b>Waste Water Treatment infrastructure</b>	
14. Build Catwalks at WWTP as a safety measure	<i>Completed 2019</i>
15. Implement Annual billing of Sewer rents on tax bills	<i>completed 2018.</i>
<b>Other Infrastructure</b>	
16. Complete storm water assessment	<i>Del Engr report submitted but not yet accepted by CWC or DEP</i>

Created 4/23/18

Updated December 30, 2019 Village Clerk (VC)

VILLAGE OF FLEISCHMANN'S BOARD REGULAR MEETING MINUTES  
January 13, 2020 (continued)

- e. **Timetable for Budget 6/1/2020-5/31/2021** A general discussion commenced to establish a workshop date to discuss board goals and budget development given the following timeline.

Village of Fleischmann's Budget Timetable FY2020.2021

The annual budget, and the multiyear capital plan will be assembled by the Treasurer as follows:

February 1, 2020	Infrastructure plan for Highways and roads, including schedule of village roads, cost/ft, and sequence of repaving and or oil and stoning - Fred Woller
	Water dept- infrastructure needs -Jim Buchan
	Sewer Dept-recap of Cedarwood/DEC budget-Winifred Zubin
March 1	Collection operating data for all depts and capital projects-Winifred Zubin
March 9	Presentation of tentative budget to Village Board
March 23	Public Hearing-Budget
April 13	Budget Adoption by Board

**Motion** to set a Budget Workshop on February 4, 2020 made by John Granito; second by Fred Woller. All aye; motion carried.

- f. **Water Billing Report 1/13/2020** Treasurer Winifred Zubin noted that collections are improving, delinquencies are still a challenge, and three (3) occupied properties are to have water shut off.

Status of water shutoff notices for the billing that went out October 1, 2019. 18 accounts have more than minimal balances and are subject to water shutoff. Of those accounts

1. 3 are properties in foreclosure and have no water
2. 4 are on payment plans
3. 2 are seasonally occupied properties with large balances
4. The remainder have no water service, and are unoccupied properties.

Winifred noted that the village will be shutting off Brad Finch, David Vorisek, and Javier Martinez, on January 14 if they don't maintain their payment plans.

Water shutoff notices are not issued on properties that currently have no water service.

Ben Fenton asked how many of those on payment plans have not kept to their payment plans. Paula DeSimone indicated the three noted above of four presently on payment plans, and are behind on their payment plans.

Staff recommending that items 2, 3, and 4 be levied on the tax bills being issued May 31, 2020, if balances maintain unpaid.

**Action:** Trustee Ben Fenton asked Village Attorney Carey Wagner to review State and Village local laws for water re-levy on the tax bills and report back at the next meeting.

**Old Business**

**Status: Parking Enforcement for unpaid tickets** Procedures submitted by Igor Goffman and emailed to Board members prior to meeting and included in these official minutes. Carey Wagner reviewed document process and is okay with it as outlined. Ben Fenton asked if village attorney seeking judgement i.e, "prosecuting" the tickets costs the village additional village attorney fees? Carey responded "probably not" as he lists on his monthly invoice calls, or events, that fall within his \$800 per month retainer and he didn't expect these would incur an overage.

**M E M O R A N D U M**

January 9, 2020

To: Mayor and Trustees

From: Igor Gofman, Enforcement Officer

Subject: Procedures for the collection of unpaid parking violations procedures

Summons are usually reported to the Town of Middletown Justice Court within 1 day of ticket issuance or the following Monday if issued on the Weekend (Friday, Saturday, and Sunday).

The following steps are proposed to be taken by the village parking agent in cases where a parking violation remains unpaid:

1. After 15 calendars days, if the summons remains unpaid, parking agent submits MV-15 Form with the New York State Department of Motor Vehicles requesting DMV's Vehicle registration and title abstracts to determine the owner of the vehicle. Municipalities are not charged by DMV per MV-15.
2. After receiving the record with the owner's information and address, village parking agent will send warning notice to pay the summons plus \$25 penalty, within 15 calendar days of the date of the letter.
3. If no response, village parking agents refers to Village Attorney to seek judgement from Middletown Justice Court.
4. After judgment received from Village Attorney, parking agent provides judgement to NYS DMV requesting suspension of vehicle's plate and registration until owner pays fine.

Attached:

- DRAFT Letter of Designation of Village Parking Agent included with each MV-15 request
- DRAFT MV-15 sample (codes 1 and 3, 8, or 9 page 3)

**Status: Wagner Ave tree removal**

Fred Woller noted that John Biruk and the Town of Middletown DPW have taken down two trees and 4 or 5 more expected to come down. Trees have been left in a condition to allow easier stump removal. Winifred Zubin asked about tree replacements. Fred responded that Ryan Trapani of Catskill Forest Association had recommended Sycamore trees as they do well in storm and flood situations.

**Status: Wagner Ave oil and stone**

Fred further noted that budget in place for oil and stone for Wagner Ave and expected to be complete in Spring 2020.

**Status: Sidewalk Workshop #3**

Fred Woller noted that this was originally initiated due to the village's insurance provider New York Municipal Insurance Reciprocal (NYMIR) request to consider a sidewalk law addressing the liability issues involved with a 50/50 split in sidewalk replacements costs for village govt and property owners and possibly shifting to a 100% homeowner responsibility as is increasingly common. John Granito expressed that this was the norm for most (government villages and towns.)

**Motion** to set Sidewalk #3 Workshop for February 6, 2020 at 4:00 pm made by Ben Fenton; seconded by John Granito. All aye; motion carried.

**Status: Dissolution Vote.**

The village cannot be petitioned for another four years.

**M-ark Project:** Peg Ellsworth unable to attend. Larry Reilly having spoken to her expected she would provide written updates.

**Status: Kiosk revisioning**

Ben Fenton indicated he has met with Peg Ellsworth to discuss and with Brian Sweeny on his submitted proposal as well as with Timely Signs of Kingston. He expects/hopes for design and verbiage to come out of the next set of meetings.

**Status: CFA Fleischmanns Waterfront Revitalization Program 2019 Grant Denied.**

Larry Reilly noted that those awarded already had a plan which Fleischmanns did not and were awarded implementation funds. Village needs to put together a plan to be successful in a future application.

**Status: M-ark Project/Lamont Engineering Theatre Feasibility Study**

Larry Reilly began the discussion noting that it will cost approximately \$500,000 or more to simply stabilize the building including electrical, plumbing, heating and to bring the building up to code. John Granito then said that it also includes the roof so the quote seems about right.

**Motion** to add Theatre Next Steps discussion to February 6, 2020 Sidewalk Workshop made by Ben Fenton; seconded by John Granito. All aye; motion carried.

Board requested Village Clerk to confirm availability of Peg Ellsworth of the M-ark Project to attend February 6, 2020.

**New Business**

Mayor Fred Woller dispensed with the reading of the two election related resolutions as all village board members had received and read the unchanged drafts:

VILLAGE OF FLEISCHMANN'S BOARD REGULAR MEETING MINUTES  
January 13, 2020 (continued)

**RESOLUTION NO. 001-2020**

VILLAGE OF FLEISCHMANN'S BOARD OF TRUSTEES ELECTION POLLING DATE AND PLACE

Motion By: Trustee Larry Reilly Seconded By: Trustee Ben Fenton.

At the Regular Village Board meeting of the Board of Trustees of the Village of Fleischmanns, New York, held at the Skene Memorial Library, on January 13, 2020; and

**WHEREAS**, the Board of Trustees of the Village of Fleischmanns according to Election Law Sec. 15-104(1)(b) and 15-104(3)(b) must designate by resolution the date of the General Village Election when normally scheduled to be held on the third Tuesday of March; however, for any year in which the seventeenth day of March shall fall on such Tuesday, the board of trustees of such village shall provide, by the resolution prescribed by paragraph b of subdivision three, that such election shall be held on the eighteenth day of March, 2020; and

**WHEREAS**, the Board of Trustees of the Village of Fleischmanns according to Election Law Sec. 15-104(3) must designate by resolution the polling place in each district and the hours the polls will be open,

**NOW THEREFORE, BE IT RESOLVED**, that the Village Board of Trustees designates the Skene Memorial Library, 1017 Main Street, Fleischmanns, New York 12430 as the official polling place in District 1 for voting in the Village of Fleischmanns Board of Trustees General Election on Wednesday, March 18, 2020 and designates that the polls be open the hours from 12:00 noon until 9:00 p.m.

**WHEREUPON**, the Resolution was put to a vote, recorded as follows:

Passed by the following vote of all Village of Fleischmanns Members voting in favor/opposed thereof: Affirmative Village of Fleischmanns Board Members: Affirmative: 4; Negative: 0; Abstain: 0

The vote on the foregoing resolution was as follows:

Fred Woller, Mayor	AYE
Larry Reilly, Trustee	AYE
Dan Halpren, Trustee	ABSENT
John Granito, Trustee	AYE
Ben Fenton, Trustee	AYE

This resolution was adopted.

Dated: January 13, 2019 -----  
Stacie E. Skelley, Village Clerk, Village of Fleischmanns  
State of New York) ss: County of Delaware)

I, Stacie E. Skelley, 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 13, 2020 and is incorporated in the original minutes of said meeting, and that said resolution has not been altered, amended or revoked and is in full force and effect.

\_\_\_\_\_, Village Clerk

VILLAGE OF FLEISCHMANN'S BOARD REGULAR MEETING MINUTES  
January 13, 2020 (continued)

**RESOLUTION NO. 002-2020**

VILLAGE OF FLEISCHMANN'S BOARD OF TRUSTEES GENERAL ELECTION  
APPOINTMENT OF ELECTION INSPECTORS

Motion By: Trustee Larry Reilly; Seconded By: Trustee John Granito

At the Regular Village Board meeting of the Board of Trustees of the Village of Fleischmanns, New York, held at the Skene Memorial Library, on January 13, 2020; and

**WHEREAS**, the Board of Trustees of the Village of Fleischmanns according to Election Law Sec. 15-116(1) designated by Resolution No. 001-2020 the date of the General Village Election shall be held March 18, 2020; and

**WHEREAS**, the Village of Fleischmanns will be holding a General Election for two seats on the Village Board of Trustees on March 18, 2020; and

**WHEREAS**, Election Law Sec. 15-116(1) states the Village Board of Trustees shall adopt a resolution appointing Election Inspectors; and

**WHEREAS**, the Village Board must appoint Inspectors to be present and work on the Village General Election, on Wednesday, March 18, 2020; and

**WHEREAS**, the Village Board must set the salary of the Village Inspectors;

**NOW THEREFORE, BE IT RESOLVED**, that the Village Board of Trustees appoints Patricia D. Maxim as Election Inspector and Chair of the Village General Election, and Dana A. Baker as Election Inspector, and if unable to assume their duties, Karen C. Certain, Jane W. Miller, and Louis E. Hamway as Alternative Election Inspectors who shall assume the office of Inspector upon the inability or refusal of an Inspector to assume or perform their duties and sets their salary at \$10.00 an hour.

**WHEREUPON**, the Resolution was put to a vote, recorded as follows:

Passed by the following vote of all Village of Fleischmanns Members voting in favor/opposed thereof: Affirmative Village of Fleischmanns Board Members: Affirmative: 4; Negative: 0; Abstain: 0

The vote on the foregoing resolution was as follows:

Fred Woller, Mayor	AYE
Larry Reilly, Trustee	AYE
Dan Halpren, Trustee	ABSENT
John Granito, Trustee	AYE
Ben Fenton, Trustee	AYE

This resolution was adopted.

Dated: January 13, 2020 -----  
Stacie E. Skelley, Village Clerk, Village of Fleischmanns  
State of New York) ss: County of Delaware)

I, Stacie E. Skelley, 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 13, 2020 and is incorporated in the original minutes of said meeting, and that said resolution has not been altered, amended or revoked and is in full force and effect.

\_\_\_\_\_, Village Clerk

VILLAGE OF FLEISCHMANN'S BOARD REGULAR MEETING MINUTES  
January 13, 2020 (continued)

**c. Delaware County Planning Department service - \$3500**

**Motion** to approve annual payment made by Larry Reilly; seconded by John Granito. All aye; motion carried.

At 7:15 pm, Ben Fenton stepped away. Still present were Fred Woller, Larry Reilly and John Granito.

**d. Facebook (FB) Village Government page** discussion added to the agenda by Larry Reilly.

Larry showed a copy of an auto generated FB Fleischmann's, Village of Gov't page. Autogenerated in that "This unofficial Page created because people on Facebook have shown interest in this place or business." It's not affiliated with or endorsed by anyone associated with Village of Fleischmann's, nor the existing Fleischmann's NY Facebook page owned by Ben Fenton for tourism promotion which does not allow for any political postings. Would Ben be willing to merge or should the Village claim this page and have a Village Government Facebook page? The Village Clerk indicated that she would like a standalone Village Government Page.

**Motion** to approve claiming of the Facebook page and use to distribute village government information was made by Larry Reilly; seconded by John Granito. All aye; motion carried.

At 7: 17 pm, Ben Fenton returned to the meeting

The discussion continued with Larry Reilly asking Ben Fenton how he felt about merging with the Government page as the tourism based Fleischmann's NY has over 1300 followers or keeping them separate. Ben Fenton confirmed his agreement that the auto generated Facebook page should be claimed and to use it as a stand-alone page separate from the tourism Fleischmann's NY.

The motion and vote re-done to include Ben Fenton.

**Motion** to approve claiming of the Facebook page and using it to distribute village government information was made by Larry Reilly; seconded by John Granito. All aye; motion carried.

**Public Comments:** There were no comments from the public.

**Vouchers: Motion to pay**

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

**WHEREAS**, The Village Board signs and inspects all vouchers coming into the Village for payment. All trustees present aye, motion carried, vouchers signed.

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

<b>General Fund</b>	<b>\$21,555.15</b>	<b>Vouchers 187-212</b>
<b>Sewer Fund</b>	<b>\$28,332.95</b>	<b>Vouchers 88-97</b>
<b>Water Fund</b>	<b>\$3,318.58</b>	<b>Vouchers 46-52</b>
	<b>-----</b>	
<b>Total</b>	<b>\$53,206.68</b>	

**Adjourn**

Motion made by Ben Fenton to adjourn, seconded by Fred Woller. All aye; motion carried. Meeting adjourned 7:30 pm.

Dated: January 13, 2019 -----  
Stacie Skelley, Village Clerk, Village of Fleischmann's  
State of New York)) ss: County of Delaware)

I, Stacie Skelley, Village Clerk of the Village of Fleischmann's, New York do hereby certify that the foregoing is a true & correct transcript of the Regular Meeting of the Village Board and the motions, resolutions, and contracts adopted by the Board of Trustees of the Village of Fleischmann's, New York on January 13, 2019 and the whole thereof.

\_\_\_\_\_, Village Clerk.