

**Monday, October 5, 2020 at 6:30 pm**  
**Skene Memorial Library, 1017 Main St, Fleischmanns, NY**  
**Village of Fleischmanns Board of Trustees Organizational and Special Meeting**

## **FINAL AGENDA**

**Note: Speak clearly and say your name before speaking**

1. Call to Order
2. Roll Call
3. Motion to approve September 14, 2020 Village Board Special Meeting Minutes
4. Motion to approve: Organizational Appointments
5. Executive Session – legal matters
6. Public Health and Safety Reports
  - a. Status: Water/Sewer Dept Reports - Jim Buchan
  - b. Status: Fire Dept Monthly Incident Report – Larry Reilly
7. Treasurer’s Reports: Winifred Zubin
  - a. Motions to approve:
    - i. Financial Statement September 30, 2020
    - ii. Fire Dept CY2021 Budget
8. Old Business:
  - a. Fred Woller
    - i. Status: Village Elections Sept 15, 2020. Congrats to Jennifer and Dan
    - ii. Status: Park closed till further notice health and safety risks for Bathrooms & Playgrounds
    - iii. Status: Pool construction sidewalk and coving installed
    - iv. Status: Fleischmanns First pool house rehab delayed due to pool construction delay
    - v. Status: Ellsworth Avenue grading TBD pending TOM schedule
  - b. Larry Reilly
    - i. Status: Mark Project Theater roof repair/replacement fundraising
  - c. Ben Fenton
    - i. Status: Kiosk RFP & next steps
  - d. Dan Halpren
    - i. Status: NYSERDA Green Community – 5<sup>th</sup> Initiative – Charging Station
9. New Business:
  - a. Fred Woller:
    - i. Status: Village Office Closed November 11 for Veterans Day
    - ii. Status: Wagner Ave Water Main break not covered by Insurance as it is not a “declared” location in insurance policy
    - iii. Resolution 012-2020: Retention and Disposition Schedule for New York Local Government Records (LGS-1).
  - b. Larry Reilly:
    - i. Status: DEC NOV sewer overflow remediation plan
  - c. Daniel Halpren:
    - i. Status: NYS Required Pandemic Plan Elements (NYCOM)
10. Next Meeting: 2nd Monday, November 9, 2020
11. Public Comment Period: Speakers limited to two (2) minutes each.
12. Motion to Audit Vouchers
13. Motion to Adjourn

VILLAGE OF FLEISCHMANN'S BOARD OF TRUSTEES  
SPECIAL MEETING MINUTES  
October 5, 2020

Mayor Fred Woller called the Special Meeting to order at 6:30 pm. Village Clerk took roll call: Fred Woller, Larry Reilly, Dan Halpren, and Jennifer Barrows were present. Trustee Ben Fenton was absent. Trustee Village Treasurer Winifred Zubin was present. Members of the public in attendance: Michael Martin of The Mountain Eagle; Roy Todd; Igal Gofman; Raina Corbine; Marilyn Ringel; Matthew Miller; Anita Rubin, Jon Frank, Vicky Szerko; Nancy Green Madia; and Janet Becker.

Mayor Fred opened the with congrats to Jennifer and Dan on their election and reelection to the Board.

**Organizational Appointments:**

Fred Woller made Motion to approve the slate of Organizational Appointments. Larry Reilly asked for one change that the Meeting dates of the Village Board of Trustees to be the 2<sup>nd</sup> Monday of each Month at 6:00 pm except when that Monday is a State and Village holiday then the meeting will be the next day Tuesday. Motion seconded by Dan Halpren. All aye; motion carried.

		Fred Woller	Larry Reilly	Jennifer Barrows	Dan Halpren	Ben Fenton
Deputy Mayor	Larry Reilly	Aye	Aye	Aye	Aye	Absent
Village Treasurer	Winifred Zubin	Aye	Aye	Aye	Aye	Absent
Village Clerk	Stacie Skelley	Aye	Aye	Aye	Aye	Absent
Deputy Village Clerk	Delaney Dufresne	Aye	Aye	Aye	Aye	Absent
Meeting Dates: Board of Trustees	2 <sup>nd</sup> Monday of each Month at 6:00 pm except when that Monday is a State and Village Holiday then the meeting will be the following day on Tuesday.	Aye	Aye	Aye	Aye	Absent
Meeting Dates: Library Board	4 <sup>th</sup> Thursday at 3:30 pm	Aye	Aye	Aye	Aye	Absent
Meeting Dates: Planning Board	1st Monday at 5:30 pm	Aye	Aye	Aye	Aye	Absent
Meeting Dates: Zoning Board of Appeals	3 <sup>rd</sup> Thursday at 5:30 pm	Aye	Aye	Aye	Aye	Absent
Bank; Official	Community Bank	Aye	Aye	Aye	Aye	Absent
Bond Attorney	Bond, Schoeneck & King	Aye	Aye	Aye	Aye	Absent
Code Enforcement Liaison	Fred Woller	Aye	Aye	Aye	Aye	Absent
FEMA Liaison	Larry Reilly / Jennifer Barrows	Aye	Aye	Aye	Aye	Absent
Film Commissioner	Larry Reilly	Aye	Aye	Aye	Aye	Absent
Financial Review Auditors	Board of Trustees	Aye	Aye	Aye	Aye	Absent
Fire Department Liaison	Larry Reilly	Aye	Aye	Aye	Aye	Absent
Flood Liaison: Representative to East Branch Flood Commission	Daniel Halpren	Aye	Aye	Aye	Aye	Absent
Health Officer	Brian Callahan, NP	Aye	Aye	Aye	Aye	Absent
Highway Superintendent/DPW Liaison	Fred Woller	Aye	Aye	Aye	Aye	Absent
Mileage Reimbursement per IRS allowance	0.58 per mile (2020)	Aye	Aye	Aye	Aye	Absent
Newspaper; Official	The Mountain Eagle	Aye	Aye	Aye	Aye	Absent
Parking Enforcement Agent	tabled	Aye	Aye	Aye	Aye	Absent
Pool Administrator	Tabled till Spring 2021	Aye	Aye	Aye	Aye	Absent
Recreation and Parks	Jennifer Barrows	Aye	Aye	Aye	Aye	Absent
Scenic Byway Representatives	John Duda / Larry Reilly	Aye	Aye	Aye	Aye	Absent
Vital Statistics; Registrar	Stacie Skelley	Aye	Aye	Aye	Aye	Absent
Vital Statistics; Deputy Registrar	Delaney Dufresne	Aye	Aye	Aye	Aye	Absent
WWTP and Water Dept Operator	Cedarwood Engineering: Jim Buchan	Aye	Aye	Aye	Aye	Absent
Planning Board Member	Igor Gofman term Oct 26, 2020 – Oct 25, 2025	Aye	Aye	Aye	Aye	Absent

**Approval of Prior Meeting Minutes:**

Fred Woller made Motion to approve September 14, 2020 Special Meeting Minutes. All aye; motion carried

At 6:10 pm Mayor Fred Woller closed the Public Meeting to enter Executive Session for the board to discuss legal matters.

**Executive Session**

Motion made by Fred Woller; seconded by Larry Reilly to approve Mayor Fred Woller to sign contract with Young & Sommers Joseph Castiglione as Village Attorney. Fred Woller-Aye; Larry Reilly-Aye; Jennifer Barrows-Aye; Dan Halpren-Nay.

Mayor agreed to seek a dedicated attorney for village matters at Young & Sommers.

Fred Woller made a motion to reject the John J. Gable, Esq. letters dated August 4, 2020 and August 28, 2020 requests to allow Larisa Guselnokova, dba 46 Depot Street Corp Attn: William Hrazanek, to redeem 926 Main St for past debts due; seconded by Dan Halpren. Fred Woller-Aye; Larry Reilly-Aye; Jennifer Barrows-Aye; and Dan Halpren-Aye. All aye; motion carried.

Mayor to request Village Attorney prepare and send letter of rejection to Gable, Esq.

Larry Reilly made Motion to end executive session; seconded by Dan Halpren. All aye; motion carried

**Return to Open Meeting**

At 6:49 pm The Board returned and the Mayor reopened the Public Meeting. Mayor Fred Woller and Trustees Larry Reilly, Dan Halpren and Jennifer Barrows were all present.

September 2020 Water/Sewer Dept Reports were submitted by Jim Buchan via email.

September 2020 Fire Dept Incident Report submitted by Deputy Mayor and Fire Dept Liaison Larry Reilly: 7 calls this month - 1 motor vehicle accident; 1 medical call; 2 false cancelled by alarm company; 3 additional false alarms

**Treasurer's Reports:** Winifred Zubin

**Motion to approve Financial Statement dated September 30, 2020** made by Fred Woller; seconded by Larry Reilly. All aye; motion carried.

Motion to approve Fire Dept CY2021 Budget made by Fred Woller; seconded by Larry Reilly. All aye; motion carried.

**Old Business:**

Park closed till further notice due to health and safety risks for Bathrooms & Playgrounds. Pool sidewalks and coving have been installed. Fleischmanns First pool house rehab is delayed due to the delay in the pool construction. Ellsworth Avenue grading is still pending Town of Middletown schedule.

Larry Reilly Mark Project Theater roof repair/replacement fundraising noted \$20,000 application status still unknown at this time. Larry also provided County DPW update that all easements have been signed and still moving forward with Bridge St footbridge. Expected start Spring 2021.

Kiosk RFP & next steps tabled due to Ben Fenton absence.

NYSERDA Green Community – 5th Initiative – Charging Station project. Dan Halpren indicated a \$7,500 estimate for charging station and asked for Village to seek M-ARK Project grant funding. Treasurer Winifred Zubin noted the need for three (3) bids.

## **New Business:**

Fred Woller turned to new business noting Village Office closed Wednesday November 11, 2020 for Veteran's Day. The Wagner Ave Water Main break is not covered by insurance but completed at a very low cost.

### **Resolution 012-2020**

Mayor Fred Woller made motion; seconded by Dan Halpren to dispense with the reading of Resolution 012-2020 Retention And Disposition Schedule For New York Local Government Records (LGS-1) as all trustees received prior to the meeting with ample time to review. Fred Woller-Aye; Larry Reilly-Aye; Jennifer Barrows-Aye; Dan Halpren-Aye. Ben Fenton-Absent. Motion approved.

Mayor then asked Village Clerk to provide a summary of the resolution. Village Clerk replied LGS1 replaces MU1 which Village of Fleischmanns presently uses, and combines and standardizes four separate Retention And Disposition Schedules used throughout New York state and local agencies. MU-1 schedule expires in December 2020 so not passing the resolution for the new LGS-1 schedule removes the ability to dispose of any records until passed.

Fred Woller-Aye; Larry Reilly-Aye; Jennifer Barrows-Aye; Dan Halpren-Aye. Ben Fenton-Absent. Resolution approved.

### **DEC NOV Remediation Plans**

Larry Reilly noted that NY State DEC responded to initial remediation plans seeking further changes. Reworked remediation plans by Cedarwood Engineering will be re-submitted to the DEC no later than the end of this month for the Notice of Violations (NOV) the village received occurring from the July 19 and 29 sewer overflows due to wipes.

**Public Comment Period:** Speakers limited to two (2) minutes each.

Marilyn Ringel spoke on the issue to hire a police officer for the summer an issue she raised in a letter to the board that came in minutes before the Board meeting began last month. And asked for a crosswalk at the Delaware Court Motel area as the area is unsafe at that Y juncture of Main St.

On Mon, Sep 14, 2020 at 5:52 PM marilyn ringel <marjoyrin123@yahoo.com> wrote:  
I am not able to attend tonight's board meeting

To our mayor and board trustees

I implore youth please consider hiring a officer for the summer months

This was a very challenging summer

We need someone to be hired in July and August to monitor the village at night in terms of noise and code violations.

We should not have to depend on troopers

We need regular people on site in the village

Please consider taking actions regarding this matter

Raina Corbine of 154 Schneider Ave spoke to the approval of a tourism home on Schneider Ave. Schneider Ave is very narrow. Locals treat it as a one way. Asked the village board to control the traffic patterns suggesting 10 mph and one-way signs, and winter speedbumps for area children's safety.

Matthew Miller requested that potholes on Schneider Ave be fixed.

Janet Becker spoke to add to Marilyn Ringel's points adding a request for the board to form a committee to develop plans to address next summer's violations like garbage not allowed on front of properties and exposed to animals.

Roy Todd rose to speak on the following:

1. Thank you to the Village Board. Village looks outstanding. Village kept clean.
2. Community Bank closing due to low foot traffic on Nov 13, 2020.
3. Any position on the Board is not easy. Compliments should be as easy as complaints.
4. Concurr that a crosswalk is needed at the Delaware Court Motel.
5. Thank you to the Village Staff for all they do.

**Next Meeting:** 2<sup>nd</sup> Monday, November 9, 2020

**Vouchers:**

**Motion to Audit 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 to be initialed individually by Trustees who shall come to village office singularly. Any vouchers not receiving three initials shall not be paid till questions of the Board answered to their satisfaction.

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

<b>General Fund</b>	<b>\$16,016.50</b>	<b>Vouchers 58-72</b>
<b>Sewer Fund</b>	<b>\$28,267.29</b>	<b>Vouchers 58-63</b>
<b>Water Fund</b>	<b>\$6,191.69</b>	<b>Vouchers 36-40</b>
<b>TOTALS</b>	<b>\$50,475.48</b>	

**Adjourn**

Motion made by Fred Woller to adjourn, seconded by Larry Reilly. All ayed; motion carried. Meeting adjourned at 7:10 pm.

Dated: October 5, 2020 -----

Stacie Skelley, Village Clerk, Village of Fleischmanns  
State of New York) ss: County of Delaware)

I, Stacie Skelley, Village Clerk of the Village of Fleischmanns, New York do hereby certify that the foregoing is a true & correct transcript of the Special Meeting of the Village Board of Trustees and the motions and resolutions adopted by the Board of Trustees of the Village of Fleischmanns, New York on October 5, 2020 and the whole thereof.



, Village Clerk.

**RESOLUTION NO. 012-2020**

**VILLAGE OF FLEISCHMANN'S BOARD OF TRUSTEES**

**RETENTION AND DISPOSITION SCHEDULE FOR NEW YORK LOCAL GOVERNMENT RECORDS (LGS-1)**

Motion By: Fred Woller; Seconded By: Larry Reilly

At the Special Village Board meeting of the Board of Trustees of the Village of Fleischmanns, New York, held at the Skene Memorial Library, on October 5, 2020; and

**RESOLVED**, By the Board of Trustees of the Village of Fleischmanns that *Retention and Disposition Schedule for New York Local Government Records (LGS-1)*, issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein.

**FURTHER RESOLVED**, that in accordance with Article 57-A:

(a) only those records will be disposed of that are described in *Retention and Disposition Schedule for New York Local Government Records (LGS-1)*, after they have met the minimum retention periods described therein;

(b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

**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; Absent: #1.

The vote on the foregoing resolution was as follows:

Fred Woller, Mayor	AYE
Larry Reilly, Trustee	AYE
Jennifer Barrows, Trustee	AYE
Ben Fenton, Trustee	ABSENT
Dan Halpren, Trustee	AYE

This resolution was adopted.

Dated: October 5, 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 October 5, 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