

**Monday April 12, 2021 at 6:00 pm**  
**Monthly Special Meeting via Zoom of the**  
**Village of Fleischmanns Board of Trustees**

## **DRAFT AGENDA**

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

- a. Call to Order
- b. Roll Call
- c. Announcements
  - i. Bridge Street Pedestrian Bridge status
  - ii. Village Website relaunch – fleischmannsny.com
  - iii. Middletown Historic Association Treasure Hunt June 6 in Fleischmanns
  - iv. Position opening – Village Clerk
  - v. Earthday cleanup Sat. April 17 - 9am at the Gazebo
  - vi. Marx insurance settlement
  - vii. American Recovery Act funding
- d. Approve prior Minutes
  - i. March 8, 2021 Village Board Regular Meeting Minutes
  - ii. April 1, 2021 Village Board Budget Public Hearing and Special Meeting Minutes
- e. Financial Report March 31, 2021– Mayor
- f. Motion to adopt 2021-2022 Budget
- g. Organizational Appointments
- h. Old Business:
  - i. Kiosk RFP & next steps - Ben Fenton
  - ii. Theatre Roof repair
- i. New Business:
  - i. Zoning Law Revisions
  - ii. Communication Strategies re summer traffic, parking, noise, garbage
  - iii. Mtn. Athletic Club May 29, 2021 Opening Day– Colin Miller
  - iv. Resolution 006-2021 Electric Vehicle Charger Station – Dan Halpren
  - v. Discussion/Motion: Response to Marchetta letter for abatement of water bill.
- j. Next Meetings: Regular monthly meeting May 10, 2021 at 6:00 pm
- k. Public Comment Period: Speakers are limited to one (1) minute each. Submit written comments for inclusion in minutes.
- l. Motion to Audit Vouchers
- m. Motion to Adjourn

Topic: Fleischmanns Board of Trustees Organizational meeting and regularly scheduled meeting  
Time: Apr 12, 2021 06:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/8452545514?pwd=YlJlUk0hHOFhqYjhXb1BjelpRMHNVZz09>

Meeting ID: 845 254 5514

Passcode: 12430

One tap mobile

+16465588656,,8452545514#,,,,\*12430# US (New York)

Dial by your location

+1 646 558 8656 US (New York)

Mayor Zubin accepted adjustments to the agenda to include authorization to negotiate an engineering contract with Delaware Engineering, Approval to apply for Clean Energy Community grant, Noise and other ordinances enforcement,

Mayor Zubin made the following announcements:

- The Fleischmanns Village website fleischmannsny.com has been reconstructed and updated.
- The Middletown Historic Association will be conducting a Relic Hunt in conjunction with the Nor'east Metal Detectors Association/ Sites in the village include the Skene Memorial Library, several private residences and the village Park. Relic hunt to take place June 5,6.
- Earth Day Cleanup will be held Saturday April 17 beginning at 9 am at the Gazebo to include volunteers from the Mountain Athletic Club, Fleischmanns First Volunteers. A Barbeque for the volunteers will take place in the village park at 12 noon.
- The insurance settlement regarding the Marx property has been settled
- Funding from the Federal American Rescue Act is estimated to be \$34,000 to be used for infrastructure.
- Larry Reilly reports that the Bridge Street Pedestrian Bridge bids are being opened on April 14 by the Delaware County Dept of Public Works, who is responsible for the project.

Motion to approve March 8 Village Board regular meeting minutes: Jennifer Barrows, Second Dan Halpren. All Ayes, Dan Halpren, Jennifer Barrows, Sam Gil, Stewart Cohen, Winifred Zubin

Motion to approve April 1 Village board public hearing and special meeting minutes: Jennifer Barrows, Second Dan Halpren. All Ayes, Dan Halpren, Jennifer Barrows, Sam Gil, Stewart Cohen, Winifred Zubin

Motion to Approve March 2021 Financial Report and Purchase orders: Jennifer Barrows, Second Dan Halpren. All Ayes, Dan Halpren, Jennifer Barrows, Sam Gil, Stewart Cohen, Winifred Zubin

The Tentative Budget was present with adjustments reflecting no tax levy increase for the 4<sup>th</sup> consecutive year, dues for Coalition of Watershed towns and addition electrical service for EV charging station. Motion to adopt 2021-2022 Tentative Budget with Adjustments as the Annual Budget: Jennifer Barrows, Second Dan Halpren. All Ayes, Dan Halpren, Jennifer Barrows, Sam Gil, Stewart Cohen, Winifred Zubin

Motion to Adopt the Organizational Appointments: Jennifer Barrows, Second Dan Halpren. All Ayes, Dan Halpren, Jennifer Barrows, Sam Gil, Stewart Cohen, Winifred Zubin See attachment

## Organizational Appointments:

Winifred Zubin made Motion to approve the slate of Organizational Appointments. Motion seconded by Dan Halpren All ayes; motion carried.

|  |   |
|--|---|
|  |   |
| Deputy Mayor                           |   |
| Village Clerk                          |   |
| Bookkeeper                             | Barbara Kolb  |
| Deputy Village Clerk                   | Delaney Dufresne  |
| 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. |
| Meeting Dates: Library Board           | 4 <sup>th</sup> Thursday at 3:30 pm   |
| Meeting Dates: Planning Board          | 1 <sup>st</sup> Monday at 5:30 pm   |
| Meeting Dates: Zoning Board of Appeals | 3 <sup>rd</sup> Thursday at 5:30 pm   |
| Bank; Official                         | Community Bank  |
| Bond Attorney                          | Bond, Schoeneck & King  |
| Code Enforcement Liaison               | Winifred Zubin  |

|   |                                   |
|---|-----------------------------------|
| FEMA Liaison  | Jennifer Barrows/Larry Reilly     |
| Financial Review Auditors                                     | Board of Trustees                 |
| Fire Department Liaison                                       | Winifred Zubin                    |
| Flood Liaison: Representative to East Branch Flood Commission | Daniel Halpren, Stuart Cohen      |
| Health Officer  | Brian Callahan, NP                |
| Highway Superintendent/DPW Liaison                            | Fred Woller                       |
| Mileage Reimbursement per IRS allowance                       | 0.56 per mile (2021)              |
| Newspaper; Official   | The Mountain Eagle                |
| Parking Enforcement Agent                                     | tabled                            |
| Pool Administrator  | Tabled till Spring 2021           |
| Parks and Public Space Facilities                             | Jennifer Barrows                  |
| Scenic Byway Representatives                                  | John Duda / Larry Reilly          |
| Vital Statistics; Registrar                                   | Village Clerk                     |
| Vital Statistics; Deputy Registrar                            | Delaney Dufresne                  |
| WWTP and Water Dept Operator                                  | Cedarwood Engineering: Jim Buchan |
| WWTP & Water System liaison                                   | Stuart Cohen                      |
| Mark Project liaison (fundraising)                            | Winifred Zubin                    |
| Business Community Liaison                                    | Sam Gill                          |
| Recreation Activities and Events                              | Sam Gil                           |

Ben Fenton reported that the Kiosk design and content has been approved by the board, with contract approved with Timely Signs, and contract for electrical services to yet to be received and approved.

Winifred Zubin reported that the Theater roof has been inspected by Ben Fenton identifying missing shingles, spot leakages on the rear section of the roof, and leakages on the front flat roof. Fred Beemer of the Mark project is to inspect the roof and draft a scope of work. This will allow the bidding of the contract for roof repairs.

Motion to adopt Resolution 006-2021 Electric Vehicle Charging Station

**RESOLUTION NO. 006-2021**  
**FLEISCHMANN'S ELECTRIC VEHICLE CHARGING STATION**

Motion By: Dan Halpren; Seconded By: Sam Gil

**WHEREAS**, the Village Board wishes to install a two-port car charging station in the Village's parking lot; and

**WHEREAS**, the Village Board wishes to submit an application to NYSERDA under an energy efficiency program for a rebate up to \$8,000.00 to install a two port car charging station; and

**WHEREAS**, electric is proposed from the on-demand meter with an annual estimated cost of \$1200; and

**WHEREAS**, the Village Board has received a proposal from Apex Solar Power, for the car charging equipment and network connection fees in the amount of \$18,676.50; and

**WHEREAS**, additional costs will be incurred by the Village for running the power line to the rear of the parking lot, excavator to dig the hole and set the concrete base and protective bollards; these costs of \$10,676.50 will be covered by the Make-Ready Program through NYSEG

**NOW, THEREFORE BE IT RESOLVED, THE** Village Board approves submission of an application to NYSERDA for the car charging station; and

**FURTHER RESOLVED**, the Village Board approves the proposal of Apex Solar Power, in the amount of \$18,676.50.

The vote on the foregoing resolution was as follows:

Winifred Zubin, Mayor  
Stewart Cohen, Trustee  
Jennifer Barrows, Trustee  
Sam Gil, Trustee  
Dan Halpren, Trustee

AYE/NAY  
AYE/NAY  
AYE/NAY  
AYE/NAY  
AYE/NAY

This resolution was adopted.

Passed by the following vote of all Village of Fleischmanns Members voting in favor/opposed thereof:  
Affirmative Village of Fleischmanns Board Members: Affirmative5 Negative: 0 Abstain: 0

Dated: April 12, 2021  
Winifred Zubin, Mayor, Village of Fleischmanns  
State of New York)) ss: County of Delaware)

I, Winifred Zubin, Mayor 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 March 8, 2021 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.

\_\_\_\_\_, Mayor

Demand charges are only related to DC Fast chargers. The Level -2 charger that is being installed will not use enough power to cause demand charges. If it did, money available to cover it as well through the make ready program (\$7500/port per year). This project includes 4 years of networking. The networking is \$320/port per year \$640/year for (1) station. EV drivers expect to pay for the charge. A \$5.00 top off charge will cost you about \$1.50. To fill up can be \$15.00 which will cost you about \$5.00. The chargers pay for themselves this way. The networking draws EV drivers to our location via the driver’s app or map that populates on the dash of the EV vehicle. The chargers become an excellent marketing tool to draw visitors to our village. While charging they have "dwell time" during which they will explore and spend time and money in the Village. The project is entirely paid for by granting.

5-year budget

|      | <u>Networking</u> | <u>Demand meter</u> | <u>Total</u> |
|------|-------------------|---------------------|--------------|
| 2021 | \$0               | \$1,200.00          | \$1,200.00   |
| 2022 | \$0               | \$1,200.00          | \$1,200.00   |
| 2023 | \$0               | \$1,200.00          | \$1,200.00   |
| 2024 | \$0               | \$1,200.00          | \$1,200.00   |
| 2025 | \$640.00          | \$1,200.00          | \$1,840.00   |

Stewart Cohen introduced a motion to amend the Zoning Law.

**Substance Of Zoning Amendment**

This new provision would be added to §100-51, titled “Non-conforming Buildings and Uses,” of the Village Zoning Code.

Any existing building in the Residence zoning district that was designed, constructed and operated as a hotel shall be allowed to operate as a lawful nonconforming hotel use, even if hotel operations were suspended for any period of time after the use became nonconforming.

Mayor Zubin opened the floor to public comments.

The motion was adopted :

Winifred Zubin, Mayor  
Stewart Cohen, Trustee  
Jennifer Barrows, Trustee  
Sam Gil, Trustee  
Dan Halpren, Trustee

abstain  
AYE/NAY  
AYE/NAY  
AYE/NAY  
AYE/NAY

Motion to schedule a public hearing for review of Zoning Law revisions reflected in attached motion: Jennifer Barrows, Second Dan Halpren. All Ayes, Dan Halpren, Jennifer Barrows, Sam Gil, Stewart Cohen, Winifred Zubin

The motion was adopted :

Winifred Zubin, Mayor  
Stewart Cohen, Trustee  
Jennifer Barrows, Trustee  
Sam Gil, Trustee  
Dan Halpren, Trustee

AYE/NAY  
AYE/NAY  
AYE/NAY  
AYE/NAY  
AYE/NAY

Mayor Zubin announced that meetings are being scheduled with each community of summer visitors to discuss mutual interests and concerns regarding traffic, parking, noise, garbage and other concerns.

Mayor Zubin announced the Placement of a historic marker at the Village Park, Noting inclusion in the National Historic Register as a historic ballfield.

The Marchetta letter requesting abatement of long outstanding standing water bills totaling \$4,523.28 arising from damage to the property pre-hurricane Irene and during hurricane Irene. The property owner wishes to restore the property and requested abatement of all outstanding water bills. The board considered the request and wishes to offer a payment plan to be paid out over three years for the full amount. Village staff to communicate the offer.

Motion to adopt response to Marchetta letter re water bill abatement: Jennifer Barrows, Second Dan Halpren. All Ayes, Dan Halpren, Jennifer Barrows, Sam Gil, Stewart Cohen, Winifred Zubin

**Vouchers:**

**Motion to Audit OFFERED BY: Mayor Winifred Zubin; Seconded by: Trustee \_\_\_\_\_.**

**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 March vouchers paid:

|                     |                     |                         |
|---------------------|---------------------|-------------------------|
| <b>General Fund</b> | <b>\$145,189.94</b> | <b>Vouchers 203-228</b> |
| <b>Sewer Fund</b>   | <b>\$31,881.11</b>  | <b>Vouchers 131-145</b> |
| <b>Water Fund</b>   | <b>\$6,210.32</b>   | <b>Vouchers 81-91</b>   |
| <b>TOTALS</b>       | <b>\$183,764.47</b> |                         |

I, Delaney Dufresne, Deputy 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 April 12, 2021 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.

\_\_\_\_\_, Deputy Clerk

Motion to audit Vouchers: Jennifer Barrows, Second Dan Halpren. All Ayes, Dan Halpren, Jennifer Barrows, Sam Gil, Stewart Cohen, Winifred Zubin

Motion to adjourn: Jennifer Barrows, Second Dan Halpren. All Ayes, Dan Halpren, Jennifer Barrows, Sam Gil, Stewart Cohen, Winifred Zubin