VILLAGE OF VALATIE

BOARD OF TRUSTEES

JUNE 10, 2014

APPROVED MINUTES

Present Audience

Mayor Diane Argyle 6 residents

Trustee Frank Bevens Peter Harvey, Kleeber Insurance

Trustee Philip Bickerton 2 members of the press

Trustee Angelo Nero Dan Rourke, Delaware Engineering

Trustee David Williams

Robert Fitzsimmons, Esq.

Mayor Argyle called the meeting to order at 7:05 pm. The Pledge of Allegiance was recited.

PUBLIC COMMENT

Bonnie Rivenburgh of 3110 Luther Street complained to the Board that she is unable to access the side of her property because her neighbors’ fence is leaning on her foundation. She stated that she checked the Village code book and she was told some time ago that there should be a 3 foot gap between her property and her neighbors. She has lived at this property for 7-8 years and has had a conflict with the property line in the past. Village Attorney Rob Fitzsimmons stated that this is not a Village issue but a neighbor issue and Ms. Rivenburgh should seek her own council to see if a title search and survey has been done on her property. Trustee Nero stated that this property is pre-existing, non-conforming. Ms. Rivenburgh should also consult with building inspector Walt Simmonsmeier if she has a complaint regarding things leaning on her foundation and if she would like to seek a boundary line adjustment.

Randall Schmitt presented pictures of overflowing garbage in the dumpster and the condition of the building at the old Main Street Hotel which is adjacent to his property. He has spoken to Walt about this ongoing problem and he has also spoken to Jason Natske regarding this. Mayor Argyle stated that if Mr. Natske doesn’t comply, court action may be taken to condemn the building. Walt would need to send a letter to the tenants stating that he will condemn the building and they will need to vacate the premises. Mayor Argyle stated that the Village can empty the dumpster but it would just be filled up again.

Mr. Schmitt also invited the Board members to attend a Valatie Free Library meeting to be held this Friday at St. Luke’s Church. The Library would like to apply for a New York State Community Development Grant but were informed by the Attorney Fitzsimmons that the Village would need to apply for this type of grant on behalf of the Library.

Motion- Trustee Bevens made a motion to approve the minutes of the May 29, 2014 end of the year meeting, seconded by Trustee Williams, all in favor motion carried.

Audit Meeting- There were 3 findings and only one concern per Mayor Argyle

Trustee Bickerton made a motion to pay claims # 2014-1-1 to 2014-1-50 at a total of $

Seconded by Trustee Williams, motion carried.

Old Business

Reports-

Fire Department- Second Assistant Chief Rustin Dolan presented the Fire Department Report:

* 12 fire calls since the last meeting
* Purchasing 3 new sets of turnout gear
* Hose testing will take place on July 19th
* Ladder testing will take place on July 29th
* Chicken Barbeque will be held on June 19th, tickets may be purchased through fire company members

Theatre Update- no report

Callan Park- Mayor Argyle reported that she gave the ok to the Little League to replace a door on the shed.

Trustee Bevens made a motion to give $500.00 to the Town Recreation Program for the summer playground/daycare program. Trustee Bickerton seconded the motion, all in favor, motion carried.

Building Department- no report other than The Building inspector is working on some computer issues.

DPW Report-Trustee Bickerton made a motion to enter in and approve a 3 year contract with the Town of Kinderhook for $82,000, $83,000 & $84, 000 respectively. Trustee Nero seconded the motion, all in favor, motion carried.

Water/Sewer- Dan Rourke, a representative from Delaware Engineering, gave a presentation/timeline on the WWTP Improvements screen upgrade- Design Schedule- on file in the clerk’s office.

* 30 days to review
* Construction to begin hopefully by September or October of this year and completed by spring (March)of next year- need to expand financing
* A screen has been picked at a cost of $100,000 made of stainless steel
* Looking to seek DEC approval by July
* Completion date of April 2015

Mayor Argyle reported that there were some problems with supplier Blue Diamond. The Village is now contracting with a hauler from Troy.

Wastewater/Water Department Report- on file in the clerk’s office.

Water Rates- Mayor Argyle gave the Trustees a print out of water rate charge listings for their review. A workshop to discuss new water rates will be held on June 24, 2014 at 6:00 pm.

Mayor Argyle discussed her conversation with the Columbia County Health Department-

* Issue of not enough volume of water
* Well #2 is being tested and fixed before August and should be good
* Need to get a BAN to start processing well #5 at a cost of approximately $120,000 to $125,000
* Even with well #5 the well has not been to capacity since 1972
* Well #3 is a usable well, problem is infiltration
* Well #1 is at half capacity, it is a 30 year old well
* Board to think about digging a new well behind well #1

Attorney Fitzsimmons inquired whether this project will be funded through EFC and Mayor Argyle said she was unsure but she is looking for any grant money. She stated that she feels NYS will force us to have filtration.

VERA- There is a membership drive going on now with letters going out to existing and potential members. There will be a village wide tag sale on July 19th and signs and sign- up sheets are going up around the village. There was discussion on having a flea market once a month but needs Board approval.

Motion- Trustees Bevens made a motion to allow a flea market once a month in the Village once all of the regulations are straightened out on what is/isn’t allowed. Trustee Bickerton seconded the motion, all in favor, motion carried.

Senior Center- The Board discussed the need to buy a more substantial cooler for the Senior Center. Trustee Williams is looking into this and will report back at the July Board of Trustees meeting.

* KISS- Keeping Identities of Seniors Safe- A document shredding program will allow seniors to drop off documents to be shredded during the week of June 19-26. Bins will be set up in the Village Hall and will be picked up by Columbia County to dispose of.
* Community Development Grant- Mayor Argyle is working on a letter
* Attorney Fitzsimmons is working on the Americans with Disabilities procurement policy

Local Law Subcommittee-

Local Law #1 was presented to the Trustees regarding “establishing the requirement that an owner of residential property must apply for and obtain a certificate of occupancy for that residential rental property before renting to a tenant.” (On file in the clerk’s office)

Motion- Trustee Bickerton made a motion seconded by Trustee Nero to set the fine at $500, $100, and $20 for section 9, Penalties for Offenses and Section 10-Fees-

1. In addition to those penalties set forth in NYS Executive Law subsection 382, any landlord who shall rent premises in violation of this law shall be guilty of a violation and shall be punishable by a fine of not more than $500 or imprisonment not exceeding 15 days, or both.”
2. Any tenant who occupies a premise without a tenancy certificate of occupancy shall be guilty of a violation and shall be punishable by a fine of not more than $100.”

Section 10- Fees

 The fee for the issuance of an apartment certificate of occupancy shall be the sum of $20 payable to the Village of Valatie.

A roll call vote showed all Trustees in favor, motion carried. A public hearing will be held at the July 8, 2014 Board of Trustees Meeting.

Energy Audit- Mayor Argyle will be advertising for quotes.

New Business-

 Tim Holt, a developer for Kinderhill, as well as landscape architect Michael Roland, presented another plan for the Kinderhill project to the Board. There was much discussion of different options available regarding hooking up to the sewer system or putting in wells. Mr. Holt stated that this project has been discussed for 8 years now and they would like to get approval from the Board to move forward with new ideas. The project would be for between 40-60 homes which would conform to the Village Code. Mayor Argyle stated that she is not in favor of a Special Tax District. Trustee Bevens commented that the Village is in so much debt now he hesitates to move forward with this project since there are so many homes for sale in the area. Mr. Holt asked the Board to give him some feed- back after reviewing these new plans.

Motion- Trustee Bevens made a motion to approve the use of and extend the season for the Kinderhook Lady Knights at the Martin H, Glynn Municipal Building from 6/11/2014- 8/30/2014. Motion seconded by Trustee Williams, all in favor, motion carried.

Motion- Trustee Bickerton made a motion to approve the use of the Gazebo at Glynn Square for a wedding to be held on June 21, 2014 for Stephen Gaylord and Kate Sipher. Trustee Bevens seconded the motion, all in favor, motion carried.

Insurance Presentation-

Peter Harvey of Kleeber Insurance gave a presentation to the Board of Trustees. He discussed Worker’s Compensation, Liability Insurance and PERMA. The Board will review the information presented and will decide at a Special meeting to be held on June 24, 2014. Mayor Argyle asked Mr. Harvey about his thoughts regarding putting the Fire Department on their own policy. Mr. Harvey stated that he did not recommend doing that because the Village would need to buy a general liability policy with an umbrella policy. It is possible to do but the Fire Department is a budget item of the Village.

LDC Garage-

Building Inspector Walt Simmonsmeier declared this garage unsafe and requested that the Village proceed with the demolition of the structure. The Village Attorney stated that there needs to be a court order to take down the building and 3 bid will need to be obtained to take it down with the cost of the demolition to be sent to the property owner. If this cost is not paid within so many days it will be placed on the property owners tax bill.

Motion- A motion was made by Trustee Bickerton to allow the Building Inspector to condemn the LDC garage as well as to allow bids to be sought for the demolition of the building with the fee to be passed on to the property owner and for legal action to be drawn up by the Village Attorney. Trustee Nero seconded the motion, all in favor, carried.

Motion- Trustee Nero made a motion to authorize the Mayor to get rid of the garbage that has been collecting in a dumpster for weeks at the old hotel on Main Street based on public safety health concerns and pass the fee on to the owner of the property. Trustee Williams seconded the motion, all in favor, motion carried.

Motion-Trustee Bickerton made a motion to go in to executive session at 9:05 pm, seconded by Trustee Bevens, all in favor, motion carried.

Motion- A motion was made by Trustee Bevens to come out of executive session, seconded by Trustee Bickerton, all in favor, motion carried.

There were no motions made in executive session.

Motion- A motion was made by Trustee Nero to adjourn the meeting at 9:40 pm seconded by Trustee Bevens, all in favor, motion carried.

Respectfully submitted,

Barbara A. Fischer

Clerk