

REGULAR MONTHLY BOARD MEETING

MONDAY, NOVEMBER 13, 2006

The meeting was opened with the Pledge of Allegiance.

PRESENT: Mayor Clarence Speed, Trustees Brian Johnson, Barbara Sagal, Joseph Krein, Douglas Cropper, Attorney Robert Fitzsimmons, Clerk/Treasurer Eilene Morris.

MOTION to approve minutes of the previous meeting made by Trustee Krein, seconded by Trustee Cropper. ALL AYES, NO NAYS.

MOTION to approve treasurer's report made by Trustee Sagal, seconded by Trustee Krein. ALL AYES, NO NAYS.

MOTION to approve payment of bills (General Abstract #6, Water Abstract #6, Sewer Abstract #6, Library Abstract #6, T&A Abstract #6, Summit Lake #3) made by Trustee Cropper, seconded by Trustee Sagal. ALL AYES, NO NAYS.

PUBLIC REQUESTS

Henry Casivant passed out a packet of three papers to each board member (copies are available in the village office for review). The correspondence was related to matters that were under review in the courts and the attorney recommended that the board not respond to Mr. Casivant's questions due to pending litigation. The Mayor did note that he was the one who authorized the towing of his vehicle as the vehicle was disabled and located on the ROW endangering the residents in that area. (note-the car was towed by Burch's Towing).

Sam Wright requested assistance from the village board with a time extension for replacing his house on Ellsworth Street . He would like to demolish the one that is there but is not sure whether he can meet the 1-year time limit on replacing the building with the non-confirming use status attached. The attorney noted that he would probably be able to get a building permit extension but needed to review the law. Trustee Johnson kept a copy of the drawings of the proposed building and will speak to the Building Inspector, Stanley Koloski, regarding the situation.

CLERK/TREASURER REPORT

*The Village Office will be closed on Thursday, November 23rd and Friday, November 24th for the Thanksgiving Holiday. We will reopen on Monday, November 27th at 8:00 AM .

*Water Turn-Off is scheduled for December 7th for those who have not yet paid their July, 2006 water/sewer bill. Certified letters were mailed today and a \$50.00 service charge has been applied to those accounts.

*Monday, November 20th is likely to be the last day for leaf pick-up so that the trucks can be readied for winter (Supt. Scheller noted that if the weather remained mild they would try to continue).

WATER/SEWER/DPW REPORTS

Reports were given by Supt. Michael Scheller. Copies of all are available in the Village Office for review.

LIBRARY REPORT

Report was given by Library Director Karen Garafalo. A copy is available in the Village Office for review.

At this point Mr. Casivant requested the assistance of the police regarding theft of services. OIC Doyle noted he would provide assistance and would discuss the matter with him at a more appropriate time.

MAIN STREET COMMITTEE REPORT

Report was given by Robin Andrews. Reported that after much hard work, due to the weather the Annual Pumpkin Walk was cancelled. Next year the committee will be sure to name a "rain date". She also reported that Monday night's meeting time is changed from 7:00 pm to 6:30 pm .

MAYOR SPEED

Noted that he is available when needed and has addressed a few situations but for the most part all is going well.

TRUSTEE CROPPER

He passed out pictures and a map of the area of a *privately owned* dam. The board has had concerns about the condition of the dam. After discussion, it was decided that Mayor Speed would contact the necessary state authorities to request an inspection of the dam. All agreed that the situation is a public safety concern. It was also noted that if this dam were to break, it would also endanger the parkway.

TRUSTEE SAGAL

(No Report)

TRUSTEE JOHNSON

Reported that the Ellsworth Street property financial balance can be allocated to the beach area clean-up per NYS Small Cities. He noted that the wall in that area would be replaced and the boat ramp will remain, but will be a bit larger.

TRUSTEE KREIN

He reported that he is waiting for Montague Oil to check the furnace. He is also awaiting a reply from NYS regarding the progress of the crosswalks. He reported that he dropped the “water” contracts off at the Diaz/Deak property. They have not yet been signed/returned. He noted that he is looking for a “third prize” for the Christmas Lighting Contest. (Ken Hussey-Vanderbilt offered to provide “third prize”)

ATTORNEY FITZSIMMONS

Discussed the following items

*Local Law regarding State Building Code Enforcement - awaiting comments from the Building Department. It should be referred to County Planning for review and a vote can be taken in December.

*Insurance questions regarding hunting at Forest Lake .

*Casivant Litigation – ongoing

*Catholic Church/Village property transfers (See Motions).

CORRESPONDENCE LIST – AVAILABLE TO THE PUBLIC

MOTIONS AND RESOLUTIONS

1. **MOTION** to approve membership of Tracey Brannen and Drew Cooper as members of the Philmont Fire Company made by Trustee Sagal, 2nd by Trustee Johnson. ALL AYES, NO NAYS.
2. **MOTION** to accept the resignation of Victoria Hill as Police Trainee from the Zone 14 Police Academy made by Trustee Krein, seconded by Trustee Sagal. ALL AYES, NO NAYS.
3. **MOTION** to approve Library salary increases as follows: Interim Director to \$12.50/hour, Assistant Director to \$9.00/hour, Substitute Director to \$8.25/hour made by Trustee Sagal, seconded by Trustee Krein. ALL AYES, NO NAYS.
4. **MOTION** to enforce the “Water Turn-Off” Law with turn-off being scheduled for December 7th for those accounts still owing the July

water/sewer bill made by Trustee Cropper, 2nd by Trustee Sagal. ALL AYES, NO NAYS.

5. **MOTION** to approve transfer of title of properties between the Village of Philmont and the Sacred Heart Catholic Church per attached resolution (read in its entirety at this time) made by Trustee Johnson, seconded by Trustee Sagal. ALL AYES, NO NAYS.

POLICE REPORT

OIC Vernon Doyle gave the police report. A copy is available in the village office for review.

He was asked about expected radio funding through Assemblyman Manning's office. He said that he has been assured that the monies should arrive within the next few days.

UNFINISHED/NEW BUSINESS

Trustee Sagal asked about the "hunting situation" at Forest Lake . It was noted that the Village does have insurance coverage. Tony Simmons was present and also wanted an answer to that question, as well as some type of satisfaction regarding the harassment issue brought to the board at the previous workshop which dealt with Supt. Scheller insisting that Mr. Simmons leave the area and not come back in a threatening tone (in front of Mr. Simmons' son) noting that no one would be hunting at Forest Lake and that he would change the locks. When the board was poled as to their feelings on the matter

Trustee Johnson wanted Forest Lake closed to hunters completely but wanted the village employees responsible for patrolling it...Mr. Simmons was not pleased with this solution as he suspected that Mr. Scheller would be doing more hunting than patrolling and also stated that Mr. Scheller was not a resident of the village and had less right to use Forest Lake than he did. Trustee Sagal noted that she would like the resolution to be brought to a vote. Trustee Sagal believed that the "card system" should be kept in place. Trustee Cropper, who fine-tuned the card system, also felt the "card system" was adequate. The Mayor noted that the rule in the past was that **ONLY** village residents could hunt at Forest Lake . OIC Doyle suggested a "Lottery System" and also volunteered to have the Police Department patrol the area instead of the village employees. After heated discussion it was decided that the card system would continue. However, for hunting season **ONLY**...the number of cards allowed out at one time will be **only 4** and each person hunting will need to have a card. This system would assure that there will never be more than 4 individuals hunting on the property at any given time. The following motion was adopted:

MOTION to allow only four individuals to hunt at Forest Lake at any given time. A Card/Key system will be maintained and each individual must have a "card" on their person while hunting at Forest Lake (note: it was never definitive whether hunters would be limited to residents only, and will have to be clarified at the next workshop) made by

Trustee Sagal, seconded by Trustee Krein. 3 AYES, 1 NAY (Trustee Johnson)-motion carried.

MOTION to adjourn made by Trustee Johnson, seconded by Trustee Cropper. ALL AYES, NO NAYS.

Respectfully submitted,

Eilene Morris

Clerk/Treasurer

VILLAGE OF PHLMONT