

## **REGULAR MONTHLY BOARD MEETING**

TUESDAY, OCTOBER 13, 2009

(DUE TO COLUMBUS DAY HOLIDAY)

**PRESENT:** Mayor Clarence Speed, Trustees Brian Johnson, Barbara Sagal, Douglas Cropper, Robin Andrews, Clerk/Treasurer Eilene Morris (Attorney Fitzsimmons absent due to a previous commitment).

**MOTION** to approve minutes of the previous meeting with the following addition requested by Trustee Andrews (*TRUSTEE ANDREWS: Acknowledged Trustee Sagal's comments AS AN EXAMPLE OF HOW THE ISSUE OF PINE HAVEN HAS BROUGHT IT A LOT OF ATTENTION and reported that after attending the Pine Haven Subcommittee meeting it appears likely that Pine Haven will remain in Philmont as all other options have been removed from the table. A new building on the county owned 30 acres at Pine Haven's present location is a likely choice. The package will go to the Sub Committee on Sept. 15<sup>th</sup> and if approved will go on to the Supervisor's for a vote. There is no time table set and approvals must be obtained and a Certificate of Need must be prepared and applied for. AND THAT WE MUST REMAIN VIGILANT TO THE MANY REMAINING UPCOMING DECISIONS. She noted that public input was a large part of the decision process and thanked everyone involved. She also reported that she attended the Workforce Program pizza party and thanked those who allowed her to borrow tools for the workers to use (Jeff Bancroft, Chris Hoppe and Gary Miller). She also was present for the Labyrinth dedication.*) Motion made by Trustee Sagal, seconded by Trustee Andrews. ALL AYES (Trustee Johnson approved with regret).

**MOTION** to approve the Treasurer's Report made by Trustee Cropper, seconded by Trustee Sagal. ALL AYES, NO NAYS.

**MOTION** to approve payment of bills (General Abstract #5, Water Abstract #5, Sewer Abstract #5, Library Abstract #5, T&A Abstract #5, Summit Lake Abstract #5, Summit Heights Operations Abstract #5, Library Building Abstract #6) made by Trustee Andrews, seconded by Trustee Sagal. ALL AYES, NO NAYS.

### **LIBRARY BUILDING ADDITION BIDS OPENED AT NOON BY LIBRARY OFFICIALS WITH THE FOLLOWING BID RESULTS RECEIVED:**

James Dooling	Base Amount = \$32,700.00
(Property Improvement)	Alt. #1 2,900.00
	Alt. #2 14,600.00
	Alt. #3 6,500.00
Bart Contracting Co., Inc.	Base Amount = \$51,390.00
	Alt. #1 1,488.00
	Alt. #2 18,344.90
	Alt. #3 5,313.00

George Lagonia, Jr. Inc.	Base Amount = \$79,342.00
	Alt. #1 6,759.00
	Alt. #2 49,259.89
	Alt. #3 8,791.43

MOTION was made by Trustee Johnson, and seconded by Trustee Sagal, to accept the bid of **James Dooling (Property Improvement)** Base Amount, Alternate #1 and Alternate #2 and reserve a decision on Alternate #3 until a later date per recommendation of the Philmont Library Board President Matthew Perry and Interim Library Director Karen Garafalo. ALL AYES, NO NAYS.

### OPEN OIL BIDS

One bid was received from Montague Oil Company.

**PRICE:** #2 FUEL OIL: \$2.3390/gallon (Subject to any increase or decrease in current market price)

**SERVICE AND MAINTENANCE:** \$50.00/hour

**MOTION** to accept the bid from Montague Oil Company made by Trustee Johnson, seconded by Trustee Andrews. ALL AYES, NO NAYS.

### PUBLIC REQUESTS:

Bill Blaauw expressed concern on behalf of the Philmont Fire Company regarding rates for outside fire districts. He noted that the Hillsdale rate increase was considerable and questioned the reasoning behind the increase. Trustee Andrews explained how Attorney Buono arrived at the figures through assessed property values and noted that the number is a bit lower than what was indicated in the newspaper. She reminded all that a Public Hearing on this subject will be held in Hillsdale on October 20th.

Matt Oakley noted that it has been determined that the cat population that he mentioned at the last meeting has an illness and felt that the public should know. He also wished that the public had more notice for the pumpkin walk. Sally felt that the 27 volunteers did a remarkable job and felt all involved had a good time.

Alfred Mattikow (Summit Heights Development) spoke to the board about a 6-item punch list. There was discussion and Trustee Johnson voiced his concern about item #5 regarding the installation of a new well. He wanted the well complete before any further work was done. It was determined that the board would review the list and would speak with Attorney Fitzsimmons and then revisit the punch list.

Sally Baker announced that she would be having a “ground breaking” for 113 Main Street on Saturday, October 24<sup>th</sup> to coincide with “350 Climate Action Day”. She felt that it was appropriate as there were several “green” issues connected with the project. Several people have been invited and she asked that the police be on duty that day. Trustee Johnson made Officer Mayo aware of the request. She also said that the pumpkins on 113 Main Street would be “recycled” possibly into a haunted house somewhere.

Richard Osborn reported that shrubbery on the corner of Elmwood and Garden has grown out of control to the point where it is blocking visibility of roads. The Clerk will notify the Building Department.

Karen Garafalo asked the board their opinion on the electronic “speed reminder” sign. The Mayor said that he has been looking into it and felt at some point they would consider purchasing one.

Brian Wheeler thanked the board for painting the lines in the crosswalk, but noted that people are still *not* stopping. The Mayor said it was a “work in progress” and there are “arrow signs” yet to come.

**CLERK/TREASURER:**

Reported that water/sewer bills were mailed on 9/30/09 and are due without penalty through 10/31/09. She also noted that the Village Office will be closed on Tuesday, November 3<sup>rd</sup> for Election Day. She also asked whether leaf pick-up dates had been set yet. The Mayor said that the “leafer” was being prepared and they should be starting pick-up soon.

**DPW/WATER/SEWER:**

All reports were given by Trustee Johnson. Copies are available in the village office for review.

**LIBRARY:**

Report was given by Interim Director Karen Garafalo. A copy is available in the village office for review.

**MAIN STREET/LDC:**

No Report - No meetings held

**COMMUNITY CENTER:**

No Report. Skip Krein was present and said all was going well.

**MAYOR SPEED:**

Reported he was busy working on crosswalks, outside fire district issues, pumpkin walk, water breaks. He noted he performed a marriage this month. He also is working on the electronic speed sign.

**TRUSTEE SAGAL:**

She reported that the Pumpkin Walk/Community Day was done very well and congratulated all the volunteers. The Mayor noted that board members donated 100 pumpkins to the event and Sally Baker said that all were used.

**TRUSTEE CROPPER:**

He attended the Pumpkin Walk/Community Day and thanked “Ozzie” for bringing his car for the parade. He thanked Sally for all her hard work in putting the day together. He also was pleased to announce that there has been some activity towards the repair of the “upper (privately owned) dam”. He thanked DPW for the branch clean-up at Forest Lake. He announced that Forest Lake would be locked up from November 20<sup>th</sup> until December 24<sup>th</sup> (Christmas Eve). During that time access can be gained by picking up a key and a pass card from the village office.

**TRUSTEE ANDREWS:**

She thanked Sally for her work on the Pumpkin Walk/Community Day and announced the winners of the contests for the day (a press release will be sent to the Register Star). She thanked Mayor Speed for his diligence in keeping the pumpkins lighted and thanked the Philmont Rotary for their generous donation to the event. She noted she has been busy answering “fire district” questions. She reported that a “check list” for the planning board process will be available soon. She also announced the opening of the Re-Store sponsored by Habitat for Humanity and they are looking for volunteers with trucks and to work the store. She also reported that the “VA Hospital use for the Pine Haven building” was already looked into.

**TRUSTEE JOHNSON:**

Made comments on Trustee Sagal’s report from last month’s meeting regarding an article relating to the possible closing of the Albany Nursing Home and the value of in-home care verses nursing home care. Trustee Johnson noted that Trustee Sagal appeared to favor the latter and he (Trustee Johnson) felt offended that she would voice this preference after all the hard work the Village Board and the residents of the village have done to keep Pine Haven here and operating. He was angry that the article was read without warning and caught most of the board off guard. The opinion referenced in the article went against everything that the village and its residents have been working toward and by bringing this all to the attention of the public in a board meeting setting, indicated that Trustee Sagal agreed that in-home care should be favored over nursing home care and that hurt the efforts of all those who worked so hard. He noted he has been upset about the situation for the past month and felt he needed to voice his opinion publicly. Trustee Sagal noted that her intention was to compare and it was not her intention to voice that opinion and she felt what she said had been misunderstood.

**CORRESPONDENCE LIST – COPY MADE AVAILABLE TO THE PUBLIC**

**MOTIONS AND RESOLUTIONS:**

1. **MOTION** that after the review and consideration of numerous proposals and presentations for the lease of ground space upon the Village’s Forest Lake property for the installation of a telecommunication tower, the village board here in finding that the lease of space would be appropriate and not interfere with the public use of the property, the Village Attorney is herein authorized to negotiate with Homeland Towers LLC for the lease of space upon final findings, terms and conditions as may be approved by the

board. Motion made by Trustee Johnson, seconded by Trustee Cropper. ALL AYES, NO NAYS.

2. **MOTION** to set Tuesday, March 16, 2010 from noon to 9:00 PM in the Village Meeting Hall for the Village Annual Elections to elect two (2) trustees for a two-year term each and one (1) village justice for a four-year term made by Trustee Andrews, seconded by Trustee Sagal. ALL AYES, NO NAYS.

**UNFINISHED/NEW BUSINESS:**

Bill Blaauw made notice that the Police Uniforms were not very visible at night and suggested that it would be to their safety advantage to wear a reflective vest while on patrol. The Mayor will pass this on to OIC Doyle when he returns from vacation.

Al Brousseau officially invited the village board to be judges for the Halloween Parade and Costume Contest.

Sally Baker asked what it would entail to do a “haunted house”. She was referred to Dick Howard who has done the haunted house for the fire company in the past.

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

Respectfully submitted,

Eilene Morris  
Clerk/Treasurer  
VILLAGE OF PHILMONT