

# VILLAGE OF CASTLETON-ON-HUDSON BOARD OF TRUSTEES REGULAR MEETING

August 11, 2014

**PRESENT:** Mayor Joseph Keegan, Deputy/Mayor Marianne Carner, Trustee Sharon Martin, Trustee Jenifer Pratico, Trustee Amy Ryan

**ABSENT:** None

**ALSO PRESENT:** Attorney Craig Crist (arriving at 7:30PM), Clerk-Treasurer Pam Smith, Superintendent John Shortsleeve, Working Foreman Richard Saville, Building Inspector Gary Ziegler, Library Director Amy Peker, Friends of the Library Vice President Doreen Truesdell, Fire Chief Matt Carner, Castleton Kids Director Scott Mocerine, From Delaware Engineering Tad Johnston, ERCSWMA director Matt Curley, ERCSWMA representative Greg Gersch, Sab Ipek from ICS of Albany, and Attorney Laura Darling representing ICS of Albany.

**GENERAL PUBLIC: 4**

**CALL TO ORDER:** A regular meeting of the Board of Trustees, Village of Castleton-on-Hudson was held at Castleton Village Hall, 85 South Main Street on August 11, 2014. The meeting was called to order at 7:00 PM by Mayor Keegan with the Pledge of Allegiance.

## **APPROVAL OF MINUTES:**

- Trustee Carner moved, Trustee Ryan seconded, motion carried to accept the minutes of the June 9, 2014 Regular Meeting.
- Trustee Martin moved, Mayor Keegan seconded, motion carried to accept the minutes of the July 14, 2014 Regular Meeting.
- Mayor Keegan moved, Trustee Pratico seconded, motion carried to accept the minutes of the July 30, 2014 Special Meeting

**PUBLIC COMMENT:** Resident Marge Hotaling commented on the status of 57 Scott Avenue. The board requested that Code Enforcer Bob Hammond look at the property.

## **REPORTS:**

1. **DPW Report:** Mayor Keegan moved, Trustee Ryan seconded, motion carried to accept the DPW Report.
2. **Water & Wastewater Report:** Trustee Carner moved, Trustee Ryan seconded, motion carried to accept the Water & Wastewater Report.
3. **Castleton Kids:** Mayor Keegan moved, Trustee Pratico seconded, motion carried to accept the Castleton Kids Report.
4. **Library Report:** Library Board Vice-President Doreen Truesdell reported that the new lighting for the library would cost \$2763 with a NYSERDA rebate of approximately \$663. As the decision for the Village to pay for the lighting was talked about at the July 14, 2014 meeting with no decision made, Mayor Keegan moved, Trustee Carner seconded, motion carried authorizing the Village to pay \$2763 for the lighting. Funds will come from the old NYCLASS Capital Building account holding funds never used from a previous project many years old. The library will close on September 13<sup>th</sup> and reopen on September 15<sup>th</sup> with limited services. A POD will be used for book storage and will be parked on Stimpson Avenue until September 15<sup>th</sup> at which time

it will be moved to an environmentally controlled storage facility until the renovation is complete. Director Peker asked about cleaning out the old court room ASAP to be used during the renovation for the limited services. Mayor Keegan asked Working Foreman Saville to remove the judge's bench and other furniture and to ask the cleaning company to clean the room.

5. **Code Enforcement:** Trustee Ryan moved, Trustee Carner seconded, motion carried to accept the Code Enforcement Report.
6. **Fire Department:** As requested by Chief Carner, Mayor Keegan moved, Trustee Pratico seconded, motion carried giving permission for the fire department to send two EMT's to the Mountain Lake EMS conference on Sept 5, 6, and 7 at a cost not to exceed \$500. Mayor Keegan moved, Trustee Pratico seconded, motion carried giving permission for the fire department to take a fire truck to the CES community fair in September.
7. **Building Inspector:** Trustee Carner moved, Trustee Martin seconded, motion carried to accept the Building Inspector report. Building Inspector Ziegler supplied the engineer's report completed on 45 South Main Street. The report, from Richard Green, dated August 5, 2014 stated the building is in dangerous condition. The board reviewed the report and declared the building to be a dangerous building, and the board motioned, according to our code that we need to send a letter to the homeowner telling them they have 15 days to begin repairs to fix the building. Mayor Keegan needs to inform the Clerk of the finding directing her to send a letter to the homeowner advising them of this finding. Mayor Keegan approved, Trustee Carner seconded authorizing Clerk-Treasurer Smith to send the letter to the homeowners, copying the mayor, the attorney, and the bank on the status of the building.
8. **LDC:** Trustee Carner moved, Trustee Ryan seconded, motion carried to accept the LDC Monthly Report.
9. **Safety/MS4 Report:** Trustee Carner moved, Mayor Keegan seconded, motion carried to accept the Safety/MS4 Report.
10. **Treasurer Report:** Trustee Carner moved, Trustee Ryan seconded, motion carried to accept the Treasurer's Report.

Craig Crist next introduced Laura Darling, attorney for ICS of Albany. He relayed that there was a discussion as to a possible resolution, further noting that the matter had been scheduled for a hearing tonight. Attorney Crist asked Attorney Darling to state the proposed resolution, she stated as follows: The next two months recyclable amounts will be averaged to ascertain a monthly amount to be applied from July 1, 2013 through the present. That amount will be deducted from the next ICS payment. Going forward ICS is to tell the recycling center that the Castleton recyclables will go to ERCSWMA. Attorney Dowling said her client agreed to this. Upon motion of Trustee Carner, seconded by Trustee Martin the board unanimously agreed to this resolution, upon advice of counsel.

#### **BUSINESS:**

1. **Codification Update:** Mayor Keegan reported that work progresses on reviewing the Editorial and Legal Analysis anticipating it will be completed by September 26, 2014. Copies of Chapter 101, Building Construction and Fire Prevention and Chapter 146, Noise, were given to the trustees and the building inspector to review for the next board meeting.
2. **Update on Out of Village Water delinquent accounts:** The August 12<sup>th</sup> Out of Village water shut offs will not be done pending attorney review of final letter to residents. Clerk-Treasurer Smith reported Mr. Pomykaj did not pay July payment as agreed upon at the June 9<sup>th</sup> hearing he attended regarding his delinquent account. Board advised Clerk-Treasurer Smith to send a letter reminding him of the overdue payment.
3. **Water Permits:** Interconnection is not officially completed, but very close. Clerk-Treasurer Smith was asked to write a letter to people on the waiting list advising them water will become available. Attorney Crist will contact Barbera Homes regarding permits needed for Castleridge development. Permits will be issued when payment is made and the Out of Village water

agreement is signed by the property owner. Attorney Crist is reviewing the Out of Village Water Agreement.

4. **Community Projects Appropriation Contract #TM31309:** Not discussed.
5. **Resolution # 40 – Gas Line Easement and Right of Way:** Mayor Keegan moved, Trustee Ryan seconded, motion carried to authorize the acceptance of the Gas Line Easement and Right of Way.

**RESOLUTION NUMBER # 40 OF THE YEAR 2014 OF THE VILLAGE BOARD OF THE VILLAGE OF CASTLETON EASEMENT AND RIGHT OF WAY OVER PROPERTY OWNED BY HAMILTON INDUSTRIAL CORP.**

*WHEREAS, the Village is desirous of effectuating the connection of the Village Treatment Plant to nearby natural gas lines;*

*WHEREAS, in order to connect same the Village needs to obtain an easement and right of way over property owned by Hamilton Industrial Corp.;*

*WHEREAS, Hamilton Industrial Corp. has agreed to make such conveyance to effectuate the aforementioned purpose;*

*NOW THEREFORE BE IT RESOLVED that Village hereby authorizes the acceptance of said easement and the execution of all documents related thereto in order to effectuate said purpose.*

6. **Resolution # 41 – Village Acquisition of parcel from Rensselaer County:** Trustee Pratico moved, Trustee Martin seconded, motion carried to authorize the acquisition of parcel from County of Rensselaer.

**RESOLUTION NUMBER 41 OF THE YEAR 2014 OF THE VILLAGE BOARD OF THE VILLAGE OF CASTLETON-ON-HUDSON AUTHORIZING ACQUISITION OF PARCEL FROM COUNTY OF RENSSELAER.**

*WHEREAS, the Village Board desires to acquire the Parcel Number: 198.19-6-55.1, which is located next to Village Hall, to be used for municipal purposes;*

*WHEREAS, said parcel is scheduled to be taken by the County pursuant to a tax sale for unpaid real estate taxes;*

*WHEREAS, the Village is informed that the amount owed on the back taxes will be approximately \$4320.97;*

*NOW THEREFORE BE IT RESOLVED that the Village Board request that the County transfer said lot to the Village for the amount of the unpaid taxes after the County takes the title to the property via in rem proceedings.*

7. **Unit changes for 7 Edgewood Terrace:** Tabled until next meeting.
8. **Resolution # 42 – Budget Modification:** Trustee Carner moved, Trustee Ryan seconded, motion carried to authorize the budget modification as presented by Clerk-Treasurer Smith.

**RESOLUTION NUMBER 42 OF THE YEAR 2014 OF THE VILLAGE BOARD OF THE VILLAGE OF CASTLETON-ON-HUDSON 2014-2015 BUDGET TRANSFER & MODIFICATION**

*Increase Budget Line item in General Fund A8510.41 Community Beautification-Castleton in bloom \$100 and A599 \$100 Appropriated Fund Balance.*

*Original amount submitted during budget process was \$300, amount was not finalized in the final budget.*

*Budget Transfer in Sewer Fund From G1420.42 Law Other \$3000 and G1420.43 Law Project Orange \$9000 both to G1380.4 Fiscal Agent Fees - Contractual*

*Account 1420 Law is not available for use in the sewer fund, according to State Comptroller's office.*

9. **New Library Trustee – Margaret Harris:** Mayor Keegan moved, Trustee Martin seconded, motion carried to approving Margaret Harris as a new library board trustee for a term of 3 years.
10. **Year End Financial Performance:** Clerk-Treasurer Smith provided year end reports for 2013-2014 fiscal year. All funds are healthy with only the Water Fund sustaining a loss of \$100 in Fund Balance. The General Fund and Sewer Fund both gained in fund balance.
11. **Workplace Violence Policy Update:** Clerk-Treasurer Smith reported that the Workplace Violence Policy committee will need to meet to update the policy and program as recommended by Safety Coordinator Norm Wiley. The meeting is scheduled for Friday August 22<sup>nd</sup> at 12:30.
12. **Goldberger & Kremer:** Trustee Carner moved, Trustee Ryan seconded. motion carried authorizing an additional amount of \$2500 in expenditures for the labor attorney Bryan Goldberger for review of the Village's personnel policy and the UPSEU union labor negotiations. A total of \$4192 has been spent to date.

#### **TRUSTEE REPORTS:**

- **Trustee Carner:** Nothing to report
- **Trustee Ryan:** Nothing to Report
- **Trustee Martin:** Nothing to Report
- **Trustee Pratico:** Nothing to Report
- **Mayor Keegan:** Reported that the Castleton Paperboard plant is applying for state grants and the project is on hold for now.

#### **PUBLIC COMMENT:**

- Fran Graziano asked about a water permit. The board reported she can get a water permit and there is no deadline to apply for the permit. Marge Hotaling commented on how beautiful the boxed plantings are that are placed around the Village. Tad Johnston asked on the status of the attorney review of the bid package for the water tower, he expressed concern that if the project is started in the spring the cost could go 5 to 10%. Attorney Crist reported he is still reviewing the bid package.

**APPROPRIATIONS:** Mayor Keegan moved, Trustee Ryan seconded, motion carried authorizing the following bills to be paid:

1. Abstract # 4 vouchers #78 - #81 in the amount of \$6,537.82
  - a. General Fund - \$2,415.07
  - b. Water Fund - \$1,356.64
  - c. Sewer Fund - \$2,766.11
2. Abstract # 5 vouchers #82 - #139 in the amount of \$89,623.26
  - a. General Fund - \$27,928.91
  - b. Castleton Kids Fund - \$1,738.89
  - c. Water Fund - \$8,149.73
  - d. Sewer Fund - \$31,988.25
  - e. Capital Fund - \$19,300.69
  - f. TA-Library - \$516.79

**ONLINE BANKING TRANSFERS:** Mayor Keegan moved, Trustee Martin seconded, motion carried authorizing Clerk-Treasurer Smith to transfer funds according to the schedule presented to the board.

**EXECUTIVE SESSION:** At 8:55 pm Mayor Keegan moved, Trustee Martin seconded, motion carried to enter Executive Session for Attorney Client Communication. At 9:19 pm Trustee Pratico moved, Trustee Ryan seconded, motion carried to come out of executive session.

**ADJOURNMENT:** At 9:20 pm, Mayor Keegan moved, Trustee Martin seconded, motion carried to adjourn the meeting.

Respectfully Submitted,  
Pamela Smith  
Village Clerk-Treasurer