

Village of East Nassau
Regular Meeting of the Board of Trustees
December 11, 2013

The regular Village meeting held at the Hoags Corners Ambulance Building was called to order by Mayor Mitchell Levinn at 7:02 PM.

Present: Mayor Mitchell Levinn presiding, trustees William Davis, Michael Lever, Adam Acquario and Thomas Kernan. Also present were village treasurer Candace Shannon, village clerk Diane Maguire, public works superintendent Michael Dorr, deputy public works superintendent Kevin Warner, attorney Joseph Catalano and code enforcement officer Richard Babiar. Two members from the public were in the audience.

Additions to the Agenda: None

Correspondence: 1.) Emails from the Lichaks regarding their ongoing smoke issue. 2.) Holiday card from the president of RPI.

Bills/Treasurer's Report: Outstanding bills for the month totaled \$5,684.42 which includes liability insurance payment of \$4,337.74. Trustee Lever made a motion to pay the outstanding bills; seconded by trustee Acquario. **Poll Vote:** Davis – yes, Lever – yes, Acquario – yes, Kernan – yes, Levinn – yes. Motion carried.

Treasurer's Report: The checking account balance as of November 30, 2013 is \$2,847.52 and the Money Market account balance for the same period is \$137,804.54. A \$25 donation to the Brainard Bell Park was received and also the mortgage tax of \$2,879.18. A motion to accept the Treasurer's report as presented was made by trustee Acquario; seconded by trustee Lever. **Poll Vote:** Davis – yes, Lever – yes, Acquario – yes, Kernan – yes, Levinn – yes. Motion carried.

PUBLIC COMMENT: Mary Hamilton commented on how nice the new fencing was around the Brainard Cemetery.

Minutes: The minutes of the November 13, 2013 regular meeting were reviewed and changes made. Trustee Acquario made a motion to approve the minutes as amended; seconded by Trustee Kernan. **Poll Vote:** Davis – yes, Lever – yes, Acquario – yes, Kernan – yes, Levinn – yes. Motion carried.

Attorney Report: Attorney Catalano stated he had nothing to report this month, but would be commenting on the fee schedule later in the meeting.

Code Enforcement Officer: Rick Babiar reported the following: 1.) He checked out the abandoned properties with violations using the new "Compliance Connections" search recommended by NYCOM and did get contact responses. In particular, 81 Tsatsawassa Lake Road – a bank owns this property. This structure is not in danger of falling down but it needs to be secured and made presentable. A falling-down shed on the property needs to be removed along with debris in the back yard. Rick will contact the bank.

2.) He checked out 220 Dunham Hollow Road, owned by Safeguard Properties. Notice of violation has been sent to Safeguard, but no response received to date.

3.) Notice of violations also was sent to 113 Dunham Hollow Road – no response to date.

4.) Two logging permits were issued; one for Hayes Road and Route 66 and the second to Zucconi on Route 66 with restrictions. Restrictions for both are no logging before 7 AM, no clear-cutting and a 50-ft. wheel pad required for roads.

5.) Demolition permit issued to Joan O'Sullivan for structure on Tayer Road. She was told she would have to monitor the demolition due to the asbestos siding removal. Owner was agreeable.

6.) Final inspection was completed on the Coburn property and a C.O. will be issued.

7. Inspected the Mary Royce property on Webster Hill Road. The present single-wide mobile home measures 56' x 12'. The newer single-wide replacement is 72' x 14'. There is some question regarding the size and the pad. Attorney Catalano advised Mr. Babiar that he notify the ZBA with his info.

Mayor Levinn informed board members that Mr. Babiar cannot complete the required certification courses due to other work-related commitments. Therefore, at the end of the village fiscal year another CEO who can become certified will be appointed. An ad for this position will be placed in *The Advertiser*.

Zoning Board: Mayor Levinn reported that the ZBA met for the first time on December 6 on the Mary Royce of Webster Hill Road issue. Another meeting is scheduled for December 18 at 7 PM on the same issue. It was determined that the ZBA should have a regular scheduled meeting date of the third Wednesday

of each month commencing at 6:30 PM. A motion to set this ZBA scheduled meeting date was made by trustee Acquario; seconded by trustee Davis. . **Poll Vote:** Davis – yes, Lever – yes, Acquario – yes, Kernan – yes, Levinn – yes. Motion carried.

Highway Report: Superintendent Michael Dorr reported that: 1.) A small repair was done for a minor washout on Murdock Road. 2.) There were four snow events that Cedar Creek plowed. It was stated that Mike or Kevin make the determination on when to call Cedar Creek to plow. 3.) On the safety equipment, Kevin reported that basic reflective vests cost \$7-8 dollars each; reflective jackets about \$60. Magnetic signs for vehicles are needed as well as beacon lights. Trustee Acquario said the vests/jackets should identify the Village of East Nassau with either wording or the village seal; board members agreed.

Public Relations: 1.) Trustee Acquario commended Michael Lever and Ron Sears for their shingle removal and disposal work on the bell tower roof. Plans are progressing on park signage and a plaque. Regarding the recent receipt of the \$25 donation, trustee Acquario asked how we will account for these funds and future donations – will it be a line item on the budget or a separate bank account. The treasurer will check with the State Comptroller's Office on this issue and report next month.

Treasurer: Nothing further to report.

Clerk: Will have copies of the Nominating Petitions available for the March 18, 2014 village elections for those wishing them.

Mayor: Mayor Levinn reported: 1.) Digital Towpath had extreme email problems/attacks this past month. The Digital Towpath board meets tomorrow to discuss this problem and to insulate against future attacks. Since Mayor Levinn is chairman of this board, he will be attendance. 2.) A mayor's report on village happenings will be composed for the next issue of *The Advertiser* as suggested by former mayor Henrickson at last month's meeting.

Old Business: A.) Verbiage for road signs. Trustee Davis will have a scale model to present at the next meeting which then could be sent out for bids.

B.) Application of new village seal: Trustee Davis said there should be uniform on letterheads, envelopes, business cards, vehicles, etc.

C.) Village Bulletin Board: Tabled at this time.

D.) Fee Schedule: Attorney Catalano said the legal restrictions on fees are to reimburse the village for estimated costs and not be profit-making. Fees should address the attorney's time, certified mail costs, public notice costs, etc. Attorney Catalano explained the particulars of use variances and area variances being the most time consuming and costly. Fees as they are now do not reimburse the village for the time and expense involved. Mayor Levinn expressed his opinions on the fee costs. A lengthy discussion between board members and attorney Catalano ensued. These fees will be discussed further at the Planning Workshop to be scheduled at a later date. Any fee changes need to be adopted by a resolution and mayor Levinn would like the new fee schedule to be implemented by April 1, 2014.

E.) Planning Workshop: The planning workshop is scheduled for Wednesday, January 15, 2014 at 7:00 PM. A notice of this workshop will be published in the *Troy Record* along with the notice of the regular monthly meeting schedule established for the ZBA, which was voted on earlier in this meeting.

F.) Village Newsletters: For the present, a mayor's report will be published in *The Advertiser*.

New Business: None

Public Comment: None

Adjournment: With no further public comments, trustee Davis made a motion to adjourn; seconded by Trustee Lever. All in favor, motion carried. Meeting adjourned at 8:40 PM.

Respectfully submitted by:

Diane Maguire, Village Clerk