

Village of Hammondsport
October 8, 2013
Meeting Minutes

DRAFT

The Village of Hammondsport Board of Trustees held its regular monthly board meeting on Tuesday October 8, 2013 at 6:00 p.m., 18 Water Street, Hammondsport, NY.

PRESENT: Mayor Emery L. Cummings, Jr.
Trustee Stella Pulver
Trustee Bruce White
Trustee Anne Green
Police Sergeant Ryan Sincerbox
DPW Superintendent Randy Hoad
Clerk-Treasurer Lela Martuscello

ABSENT: Trustee Rachael Nichols

OTHERS PRESENT: Debra Robbins, Mike Hanna.

Steuben County Legislator, Mike Hanna, was present to speak to the board about the proposed changes to the Steuben County Charter. Proposition 7, the Steuben County Charter, is on the ballot for the November 5, 2013 election. Mr. Hanna stated that the proposed changes will modernize the management structure of the County Government and will not have financial impact on taxpayers. The Charter establishes a Commissioner of Finance appointed by the Legislature and gives the County Manager authority to manage an organization with a \$180 million budget. The County Legislature will have additional flexibility in implementing State-required services and be better able to manage services based on local needs as opposed to statutory limitations passed in Albany.

BUSINESS MEETING

Minutes: On motion of Trustee Green and seconded by Trustee Pulver and carried, all voting Aye to approve the September 17, 2013 meeting minutes.

Abstract: On motion of Trustee Pulver and seconded by Trustee White and carried, all voting Aye, RESOLVED, that the Clerk-Treasurer is hereby authorized to pay General Fund Abstract #8, claim #240-262 totaling \$53,007.04 and Water Fund Abstract #8, claim #91-103 totaling \$8,823.68.

Department Reports

Police: Police Sergeant Sincerbox submitted a written report of the Police Department for September 2013. Activities included 22 calls for service, 0 criminal complaints, 0 criminal complaints closed, 9 traffic stops, 1 warning issued, 8 traffic tickets issued, 10 parking tickets issued.

Sergeant Sincerbox discussed the parking issue on Mechanic Street. Delivery trucks are parking on the sidewalk alongside the Park Pharmacy and breaking up the sidewalk. Sergeant Sincerbox has spoken to delivery drivers about not parking on the sidewalk and instructed them to park in the street. With the delivery trucks parked in the street, the street is blocked so the board discussed eliminating the two parking spaces alongside Five Star Bank.

On motion of Trustee Pulver and seconded by Trustee White, RESOLVED, that the Village Board of Trustees does hereby amend the Village Code as follows:

Village Code 115-42 Section XIII No Parking Certain Hours

Name of Street	Side	Hours/Days	Location
Mechanic Street	East	6:00 am to 3:00 pm Weekdays	Center Line of Shethar Street South on Mechanic Street Between 103 feet to 141 feet

ROLL CALL VOTE: Mayor Cummings – Aye
Trustee White – Aye
Trustee Green – Aye
Trustee Pulver – Aye
Trustee Nichols – Absent

Motion Carried

DPW/Water: DPW Superintendent Hoad reported on the Water and Street Departments for the month of September. Water Department activities included Department of Health inspection, regular pump house maintenance, water samples, leak location, water main repair, water meter repairs, clean reservoirs, and Town of Urbana water project.

Street Department activities included cutting road sides, sweeping streets, mowing, cleaning catch basins, Dig Safe NY meeting, and slurry seal streets.

DPW Superintendent Hoad gave the board a list of leak locations found in the Village this past summer.

Finance: Activities included ZBA Public Hearing, Affordable Care Act notices mailed, attended Clerk's Conference; sent letters to Town of Urbana, Park Bench request, Parade and Park Use Permit approvals; and Resolutions for Bernard Donegan and IDA for ARC Grant application.

Parks: No Report

KWIC: Trustee Green reported that the Committee is closing in on making a decision on the full-time part-time manager position after January. The 2015 budget figure for dues is proposed at \$9250.

The Building Inspector's and Watershed Inspector's and Zoning Officer's reports were noted being received.

On motion of Trustee White and seconded by Trustee Pulver and carried, all voting Aye to approve the Department Reports.

Beautification Committee: Trustee Pulver reported that the Committee has turned over maintenance of the sprinkler system in Pulteney Park to the Village DPW, they will have a HCS school group help with spring clean-up in Pulteney Park, and trees will be planted next fall.

Nancy Clark will chair decorating the Village Square for Christmas. Trustee White suggested that the Holiday Decorating be completed by the Friday after Thanksgiving. Mayor Cummings will set up a meeting between the Village, Beautification Committee, and the Hammondsport Chamber to coordinate the decorating of the Village Square.

OLD BUSINESS

Curtiss Museum Water Extension: The Town of Urbana has not received a letter of commitment from the EPA for funding.

Main Street Grant: Trustee Green reported that all projects have received the money.

Dumpsters: In the Zoning Officer's report Bob Magee reported that the Scout House dumpster has been removed, Park Pharmacy will use trash cans instead of a dumpster, Limeberry has removed dumpster, Village Tavern, Maloney's Pub, and Hammondsport Grocery are sharing an enclosure for two dumpsters. Crooked Lake, Wise Guy's Pizza, Browsers, Opera House, and Champaigne BBQ will appear in Justice Court October 21, 2013 at 5:00 p.m.

Wastewater Study: A meeting is set for October 22 at 2:00 in the Hammondsport Fire House. Jamie Johnson from the IDA composed a letter and the Village will mail the letter to the property owners in the proposed sewer district inviting them to the meeting. The DPW will also hand deliver letters to make sure they are received.

Update on Lake Street Reconstruction Project: The Village Board must adopt a bond resolution for the project.

Trustee White presented the following resolution and duly moved that it be adopted and was seconded by Trustee Green:

BOND RESOLUTION DATED OCTOBER 8, 2013 OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF HAMMONDSPORT, NEW YORK, AUTHORIZING GENERAL OBLIGATION SERIAL BONDS TO FINANCE WATER SYSTEM CAPITAL IMPROVEMENTS WITHIN THE VILLAGE, AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES IN CONTEMPLATION THEREOF, THE EXPENDITURE OF SUMS FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the purpose hereinafter described consists of water capital improvements to include related storm drainage and street reconstruction authorized to be undertaken by the Village Board of Trustees pursuant to the Village Law;

WHEREAS, the Village, acting as lead agency under the State Environmental Quality Review Act and the applicable regulations promulgated thereunder ("SEQRA"), has completed its environmental review and, on September 17, 2013, has duly adopted a negative declaration with respect to the unlisted action and has determined that the implementation of the action as proposed will not result in any significant adverse environmental impacts; now therefor, be it

RESOLVED BY THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF HAMMONDSPORT, NEW YORK (hereinafter referred to as the "Village"), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. The Village of Hammondsport shall undertake the construction of water improvements, to include, without limitation, reconstruction of the existing water distribution system along Lake Street from Main Street to Water Street, the installation of a storm drainage system and reconstruction of the roadway surface, and the acquisition of original furnishings, equipment, machinery or apparatus, or the replacement of such equipment, machinery or apparatus, and other incidental improvements that may be required in connection therewith for such construction and Village use (hereinafter referred to as

“purpose”), and general obligation serial bonds in an aggregate principal amount not to exceed \$1,300,000 and bond anticipation notes in anticipation thereof (and renewals thereof) of the Village are hereby authorized to be issued to finance said purpose.

Section 2. The estimated aggregate maximum cost of said purpose, including preliminary costs and costs incidental thereto and costs of the financing thereof, is estimated to be \$1,300,000 and said amount is hereby appropriated therefor. The plan for financing of said purpose is to provide all of such maximum cost by issuance of obligations as herein authorized.

Section 3. It is hereby determined and declared that (a) said purpose is one of the class of objects or purposes described in Subdivision 1 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is forty (40) years, (b) the proposed maximum maturity of said bonds authorized by this resolution will be in excess of five years, (c) current funds required to be provided prior to the issuance of the bonds or notes herein authorized, pursuant to Section 107.00 of the Local Finance Law, to the extent applicable, if any, will be provided, (d) the notes herein authorized are issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds.

Section 4. The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Village and all the taxable real property in the Village is subject to the levy of ad valorem taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount, subject to statutory limitations, if any.

Section 5. It is hereby determined and declared that the Village reasonably expects to reimburse the general fund, or such other fund as may be utilized, not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

Section 6. The power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds and notes, including, without limitation, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, all contracts for, and determinations with respect to, credit or liquidity enhancements, if any, and to sell and deliver said bonds and notes, subject to the provisions of this resolution and the provisions of the Local Finance Law, is hereby delegated to the Village Treasurer, the Village’s chief fiscal officer. The Village Treasurer and the Village Clerk or Deputy Clerk are hereby authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to this resolution, and are hereby authorized to affix to such bonds and notes the corporate seal of the Village of Hammondsport.

Section 7. The faith and credit of the Village of Hammondsport, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 8. After compliance with Section 9 hereof, this resolution shall be published in full by the Village Clerk of the Village of Hammondsport together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Village, in the manner prescribed by law. The validity of said bonds and bond anticipation notes issued in anticipation of the sale of said serial bonds, may be contested only if such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or the provisions of law which should be complied with, at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution is subject to a permissive referendum of the qualified electors of the Village of Hammondsport, pursuant to Section 36.00 of the Local Finance Law.

The motion having been duly seconded, it was adopted and the following votes were cast:

AYES - 4		NAYS - 0	
STATE OF NEW YORK	}		
		}	ss:
COUNTY OF STEUBEN	}		

I, the undersigned clerk of the Village of Hammondsport, DO HEREBY CERTIFY as follows:

1. A regular meeting of the Village Board of Trustees of the Village of Hammondsport, Steuben County, State of New York, was held on October 8, 2013, and Minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of meetings of said Village Board of Trustees.
2. I have compared the attached Extract with said Minutes so recorded and said Extract is a true copy of said Minutes and of the whole thereof insofar as said Minutes relate to matters referred to in said Extract.
3. Said Minutes correctly state the time and place when said Meeting was convened and the place where such meeting was held and the members of said Board who attended said Meeting.
4. Public Notice of the time and place of said Meeting was duly posted and duly given to the public and the news media in accordance with the Open Meetings Law, constituting Chapter 511 of the Laws of 1976 of the State of New York, and that all members of said Village Board of Trustees had due notice of said Meetings and that the Meeting was in all respects duly held and a quorum was present and acted throughout.
5. IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of the Village of Hammondsport this 10 day of October, 2013.

Village Clerk
Village of Hammondsport

ROLL CALL VOTE: Mayor Cummings – Aye
Trustee White – Aye
Trustee Green – Aye
Trustee Pulver – Aye
Trustee Nichols – Aye

Motion Carried

The Village Board set a meeting for Tuesday October 29 at 6:00 p.m. at the Hammondsport United Methodist Church. It will be an informational meeting for Lake Street residents of the upcoming reconstruction project. The clerk will compose a letter and the DPW will deliver letters to residents.

Parking Issues: Police Sergeant Sincerbox presented a proposal for one sided parking on the following streets: Lake Street from Mechanic to Water Street, Shethar Street from Mechanic to Water Street starting east of Hammondsport Grocery Store, William Street starting east of the rear entrance to the Village parking lot. He is proposing the one sided parking May 1 to September 1, Friday through Sunday. The board asked DPW Superintendent Hoad to look at the streets and determine which side of each street would limit the most parking spots. The board will review at the November 12 board meeting.

NEW BUSINESS

Halloween: The Village Board set Trick or Treat in the Village for October 31, 2013 from 6:00 p.m. to 7:00 p.m.

Park Use Application: On motion of Trustee Green and seconded by Trustee White and carried all voting Aye to approve the Park Use Application submitted by Tuffy Don Chalmers for use of Pulteney Park Bandstand on October 26, 2013 for a wedding at 11:00 a.m.

Inter-municipal Agreements: Town Supervisor, John Webster, sent the Village board proposed agreements for Terry DeBuck as Building and Watershed Inspector and Robert Magee as Zoning Officer. Supervisor Webster is proposing a 3.9% increase in the contractual fee. The Village Board agreed that 3.9% is quite a large increase and Mayor Cummings will set up a meeting with Supervisor Webster along with Trustee White. The Agreement is tabled until the November 12 board meeting.

Trustee Green would like the Village to investigate the idea proposed by John Jensen for a Coterminous Town-Village government. Trustee Green and Trustee White will work on cost estimates and the process.

The Curtiss School was discussed and the withdrawal of Robert Lack's applications and purchase offer. The Hammondsport School District is again accepting bids for the purchase. Mayor Cummings suggested that the Village should put in a purchase offer and letter of intent to purchase the Curtiss School for \$1.00.

Trustee Pulver made a motion seconded by Trustee Green, RESOLVED, that the Village of Hammondsport Board of Trustees does hereby authorize a purchase offer and letter of intent to the Hammondsport Central School for the purchase of the Curtiss School in the amount of \$1.00.

ROLL CALL VOTE: Mayor Cummings – Aye
Trustee White – Aye
Trustee Pulver – Aye
Trustee Green – Aye
Trustee Nichols – Absent

Motion Carried

The Board acknowledged receipt of a letter from Town of Urbana Supervisor John Webster. The letter is in response to a letter from the Village board referring to requirements of a signed agreement for Water District 2 not being met. Supervisor Webster stated in his letter that the Town of Urbana Board is working on these requirements.

With no further business, Trustee Pulver made a motion seconded by Trustee Green to adjourn the meeting at 7:55 p.m.

Respectfully Submitted,

Lela Martuscello
Clerk-Treasurer