

Village of Cleveland Regular Board Meeting May 5, 2009

PRESENT: Mayor Malchoff Davis, Trustee Joe Domachowske, Trustee Norm Youmans, Trustee Joseph Carr, Fire Chief Joni Hinds, Clyde Lewis, CEO John Illingworth, Tom Mirizio, Randy Groth, Elwood Engelbrekt, Joe Mazi, Jerry Eler, Bonnie McCollough, Paul Baxter-Tug Hill Commission.

ABSENT: Trustee Debbie Kite

CALLED TO ORDER: by Mayor Davis at 7:30 pm with the Pledge of Allegiance.

OPEN PUBLIC HEARING #1: Mayor opened Public Hearing to here public comment regarding the 2009-10 Village Budget by stating that in the General Budget there would be no raise in the Village Taxes this year, however the General, Water and Sewer Fund need to stand on their own in the future. Each fund should carry its own burden and dispense with borrowing from one fund to the other as done in the past.

Board and Public Comments:

General Fund:

- The Village tax roll is one year behind the county and town. Theirs is set up so they complete their budget by July. So the Village taxes for this year are based on the July 2008 budget approved by town. Next year there should be no significant changes in the assessments other than vacant lots up approx. 5%.
- The Fire Dept negotiated a raise in their income from the Fire Protection Contracts with the Towns of Vienna and Constantia. The Village pays for the building that houses the trucks and equipment, approx \$28,000 per year. The rest of the Fire Dept budget is received from the Fire Protection contracts with the Towns.
- CHIPS money, approx \$63,000 accumulated over a three year period, will be utilized this year. Streets will be decided on soon. Funds can also be used for the Village Hall parking lot and sidewalks.
- Archive funds will be used to identify and catalog records at no cost to the Village.
- Workers Comp has tripled. Looking for other sources - can't just drop out. The Fire Dept is paying their part of the cost.
- It was suggested that taxes should be lowered by subletting the plowing and asked that it be looked into. Mayor said it would be looked into but that it's hard to arrange meetings with the town. Also, they pay their DPW more per hour and would need to hire another person to plow the Village, thus costing the Village more. The Town and Village DPW already help each other as needed and it doesn't effect the bottom line.
- Consolidated services will be considered and looked into.

Water Fund:

- For years money has been borrowed from water to help other funds instead of paying down debt. Starting this year, excess funds will be used to pay down the debt. Approx \$8000. of interest will be saved each year if paid off early. The best way to use money is to not pay interest.
- The Village water rates are more than competitive. OCWA raises their rate approx 7-8% per year. Water rates have not been raised in years. The rate will be increasing \$5.00 per quarter.
- A reserve needs to be built up to anticipate a major break or problem.
- Upgrading the water system is in the planning stages by considering upgrading to meters and using computer read and calculated telemetry.

Sewer Fund:

- There will be an increase in the sewer rates by \$12.75 per quarter. The sewer fund has been borrowing from the water fund for years to meet budget. The fund is still trying to recover the

- \$40,000 that was given to public during the last administration.
- Electric credit increases will be reviewed and considered.

CLOSE PUBLIC HEARING: Mayor closed Public Hearing for Budget.

OPEN PUBLIC HEARING #2: Mayor opened public hearing for Local Law #2 of 2009 Requiring Prior Written Notification of Certain Dangerous Conditions. This law will require those that have a complaint to bring it to the Village in writing. Mayor read Section 1 of the law as follows: No civil action shall be maintained against the Village of Cleveland (the "Village") or the Superintendent of the Department of Public Works of the Village, or against any improvement district in the Village for damages or injuries to person or property (including those arising from the operation of snowmobiles) sustained by reason of any highway, sidewalk, bridge, culvert, highway marking, sign or device, or any other property owned, operated or maintained by any improvement district therein, being defective, out of repair, unsafe, dangerous or obstructed unless written notice of such defective, unsafe, dangerous, or obstructed condition of such highway, sidewalk, bridge, culvert, highway marking, sign or device, or any other property owned, operated or maintained by any Village, or any property owned, operated or maintained by any improvement district, was actually given to the Clerk of the Village or the Superintendent of the Department of Public Works of the Village, and that there was a failure or neglect within a reasonable time after the giving of such notice to repair or remove the defect, danger or obstruction complained of; and no such action shall be maintained for damages or injuries to persons or property sustained solely in consequence of the existence of snow or ice upon any highway, sidewalk, bridge, culvert or any other property owned by the Village or any property owned by any improvement district in the Village unless written notice thereof, specifying the particular place, was actually given to the Clerk of the Village or the Superintendent of the Department of Public Works of the Village and there was a failure or neglect to cause such snow or ice to be removed or to make the place otherwise reasonably safe within a reasonable time after the receipt of such notice.

No comments recorded, a copy of the law may be obtained from the Village Clerk.

CLOSE PUBLIC HEARING: Mayor closed public hearing for Local Law #2 of 2009

OPEN REGULAR BOARD MEETING:

BUDGET RESOLUTION: Mayor Davis made motion that the 2009-10 Village Budget as presented be approved, second by Trustee Domachowske, all in favor, motion carried.

LOCAL LAW RESOLUTION: Mayor made motion to approve Local Law No.2 of 2009 with typing corrections as stated, second by Trustee Youmans, all in favor.

CODE ENFORCEMENT: Property owner Frederick Smith II - 31 Clay Street - failed to attend the Board meeting this evening. All steps have been taken regarding the unsafe building on this property. The Village will proceed with the necessary steps to demolish the building at 31 Clay Street. The cost for demolition, removal and cleanup will be levied to the property owner through Village Tax if necessary. The Village Attorney will be informed to proceed with action. Other properties regarding cleanup and unsafe structures were discussed.

APPROVAL OF MINUTES:

Mayor Davis made motion to approve minutes for 4/7/09 Board Meeting, second by Trustee Domachowske, all in favor, motion carried.

LWRP is on hold indefinitely without prejudice, can reapply at later date.

Mayor made motion to approve the minutes from 4/22/09 and 4/28/09, second by Trustee Youmans, all in favor, motion carried.

FISCAL ADVISOR REPORTS: Mayor Davis made motion to approve the financial report from 3/31/09, seconded by Trustee Carr, all in favor, motion carried

PAY BILLS Abstract #12: Mayor made motion to approve Abstract #12, vouchers #515-559, seconded by Trustee Carr, all in favor, motion carried.

FIRE DEPARTMENT:

1. Fire Chief Joni Hinds read Fire Alarm Report.
2. Fire Chief Joni Hinds read the list of new Fire Dept. Officers, Joni Hinds-Chief, Jack Cottet-Deputy Chief, Robert Glahn-Asst Chief, John Hinds-Captain, David Hinds-Captain, Paul Cote'-Lieutenant, Zacharia Avery-Lieutenant, after which Mayor Davis made a motion to accept, second by Trustee Youmans, all in favor, motion carried.
3. Mayor made motion to make changes to the 2009-10 Budget and approve the use of the remainder of the funds totaling \$21083.25 from the sale of the 1994 Pumper as follows: \$10,892.25 to be used to pay the balance of the already budgeted amount of \$10,191 for workers comp. and \$10,191 to be placed in a reserve fund for future workers comp payments, second by Trustee Domachowske, all in favor, motion carried.

SPIRIT COMMITTEE: Joni Hinds gave update: Earth Day Cleanup went well. There were more volunteers this year and more bags of trash picked up.

ELECTION INSPECTORS: Mayor Davis put forth resolution to appoint Lenore Domochowske and Ruth Dewitt as election inspectors for the June 16, 2009 Village Election. Each Inspector to be paid \$80.00 for poll coverage from 12-9 pm arriving at 11:30 am for set up, second by Trustee Youmans, all in favor, motion carried.

CEMETERY UPDATE:

1. Mayor made motion that the new fee for the opening and closing of a gravesite for a cremation burial will be \$200. second by Trustee Carr, all in favor, motion carried.
2. Mayor made motion that the width of a headstone can be no more than 12" less than the width of the gravesite (4' gravesite = 3' or less headstone), second by Trustee Youmans, all in favor, motion carried.
3. The Village will not be involved in the pouring of the foundation for the headstone.

WATER SYSTEM UPGRADE: A study has been done. A new well pump has been installed. Further discussion needed.

IMPORTANT DATES:

- A work meeting was proposed for May 20, 2009 at 10:00 am at the Village Hall.
- Next regular Board Meeting June 2, 2009 at 7:30 at the Village Hall.

MEETING ADJOURNED: Mayor Davis made motion to adjourn, second by Trustee Carr, all in favor.

Recorded and Submitted by Phyllis Sweeten, Clerk-Treasurer on 5/18/09