

**REGULAR MEETING OF THE NORTH HORSELL VILLAGE BOARD**  
**March 10, 2014 7:00 pm**

**ATTENDANCE:** Mayor: John Falci  
Trustees: Glenn Thomas, Frank Libordi, Peter DiRaimondo  
Deputy Clerk: Marie Patti  
Fire Chief: Mike Robbins  
DPW Supervisor Greg Zdanowski  
CEO William Rusby

Absent: Trustee William Coleman due to death in family, & Clerk Kristene Libordi due to illness, Also absent: OIC Marcus Smith, CEO Jim Schieder,

Meeting called to order at 7:00 pm by Mayor Falci and opened with the pledge of allegiance.

**MINUTES**

Reading of the Minutes from February 10 Regular Board Meeting tabled due to Clerk Kristene Libordi out due to illness. Mayor welcomes Deputy Clerk Marie Patti in Clerk Kristene's absence.

Trustee Libordi – This is for January & February, correct? Mayor Falci – Correct.

A motion was made by Trustee Pete DiRaimondo and 2<sup>nd</sup> by Trustee Glenn Thomas to accept the treasurer's report.

All in favor-

Mayor Falci                      Aye

Trustee Thomas                Aye

Trustee Libordi                Aye

Trustee DiRaimondo          Aye

And carried.

**POLICE REPORT**

OIC Marcus Smith Absent, schedule of hours is on the wall in Clerk Libordi's office.

**MAINTENANCE REPORT**

Supervisor Greg Zdanowski gave his report, including update on work at the DPW building to be paid out of this year's budget.

Pump Station was routine

Worked on Salt Spreader and Chevy had to get parts

Worked on pot holes

Snow & Ice removal

Assisted City of Hornell on Several occasions with our sewer cleaner

GMC Truck is back in service.

**2013-14 Budget Work on Building:**

Ceiling in Truck Bay \$3,500.00

- LOWES Quote – R-38 Insulation - \$1,462.56
- N. Main Lumber – R-38 Insulation - \$1,495.78
- LOWES Quote – Lumber for Ceiling \$ 600.00
- Armor Building Supply – Metal Liner, J-Channel, Screws - \$1,259.21
- LOWES – Metal Liner, J. Channel, Screws - \$1,283.18
- N. Main Lumber – Metal Liner, J-Channel & Screws - \$1,478.80.

Electric and Fixtures in Truck Bay/Cold Storage: \$1,200.00

Gas Heater in Truck Bay (60,000 BTU Unit) \$2,000.00

- >Casey's Plumbing and Heating - \$ 1,975.00 (Reznor 75,000 BTU & New Gas Line)
- >Mike Palmer P & H - \$ 2,978.00 (60,000 BTU) \$3,297.00(100,000 BTU)
- >Main Plumbing & Heating \_ \$5,945.00 (Modine 65,000 BTU & New Gas Line)
- >D & D HVAC & Plumbing – (Duane Chaffee) did not return quote

Front of Building Drainage \$2,900.00

- Will come from Storm Sewer Budget
- >Vellano Corporation –
- >Blair Supply –

Fire Alarm System (Same as NHFD/Village Hall) \$5,000.00

Per Greg, - This is the same company as we used for this building. Their Quote was \$3,900.00 for all the equipment, programming and testing it. We still have to have it installed and wired. We plan on using Chapman Electric because he did this one and we know his work and he did a good job. And I don't see that going over the \$5,000. The front of the building drainage I'm planning on taking from the storm sewer budget item.

Lowe's was low bidder on the insulation, Liner panel had 3 bidders, Armour Building Supply was low bidder on Metal Liner Panel. Electric fixtures are screwed to the seal. Includes exit lighting, emergency lighting, includes the wiring of it.

Gas heater in truck bay- We asked for several plumbers for quotes. We have received 3 quotes. Casey's plumbing being the lowest. See information above.

Question per Mr. Libordi- What size do we actually need in there?

Mr Rusby gave input on the new heater quotes. If we had bigger it would be ok because it will shut off at what ever temperature we set it at. Possibly 75 BTU might be a good idea. The capability would be there, we would just regulate what you need for a quicker recovery time.

Mayor Falci explains - We asked Greg to come up with a list of where we're going with this budget year that ends in June with the DPW as far as the inside work that can be done in the winter and in the Spring when they are not plowing roads. This money is already been in the budget. We just wanted an update on what will be spent and the priority of what is going on right now. Some of us have been in the building several times. I was in there today and they are putting up ceilings and insulation inside the building in the 4 truck bays. Because this has already been in the budget we asked Greg to come up with this list as we move forward to plan for the next year's budget also.

What they are doing now is ceilings and insulations in the truck bays. Then they are going to be electrical fixtures in the truck bays and in the cold storage. You are never grandfathered when it comes to fire safety and state codes. When it comes to fire safety you must bring the building up to code, as we had to do here. Fire alarms, and exit signs have to be updated which we might not have had to do before, but we must have now. Then we have the gas heater, which we have been talking about ,on the one side of the building, and then we have some front drainage problems in the building where some of the water is going into the bay when we have a big run off or a big snow storm , then a quick melt down, then the fire alarms. These are the things that must be done now

(Greg) That completes the scope of work we are planning on doing. We talked about the metal siding versus brick which is this portion designed by JHL to make it look similar to this building. All the things we looked at looked fake. But we thought we could come up with something that would not be as costly as putting up brick but would look as good. Tom & Rich made up a panel with Hardy Board with Z-Brick attached with construction adhesive and mortared in place.

Mayor Falci - This was done by Lusk Architect/ Engineering, a resident of the Village of N. Hornell. We found out it would be about \$500 more to put that brick. There was some concern about making the whole thing metal then some people were concerned whether it would blend in or look like a big metal barn in a residential area. As you can see it doesn't go all around but it goes around where you can see it. And it probably looks a lot nicer

than just metal all the way down.

(Greg) The difference between putting metal and this brick facing and installation would be about \$580 more and it would have to be framed out to appear to be the size of the brick. And that's about it.

Mayor Falci - The front page is just an update of what we have discussed. Correct? (Greg) yes. We will probably have another budget hearing probably within a week or two as we work on our budget that starts in June of next year. We have to have that budget done by the end of March and it has to be passed before May 1<sup>st</sup>.

Mayor Falci - Are there any questions for Greg at this time?

Trustee Libordi – Did we get the 3 ton back?

Greg – Yes.

Trustee Libordi - The changes have been made but is it still under observation? Is it fully functional and there is no problem anymore and we don't have to worry about it?

Greg- The truck is 10 years old. What we had fixed should be good. We don't foresee any problems.

Trustee Libordi – I went back to the August, & September meetings & then the October meeting and I saw where you flushed hydrants on the 20th.

Trustee Libordi- in Mikes report the hydrant at the South End of Seneca Rd doesn't work. But it worked when we flushed it. Because, it's not working now and it was fully functional. They used it to cure the bridge. And now we're without a hydrant.

(Greg) They broke it at that time.

Trustee Libordi - They broke it.

Greg - They used it by opening the valve and using the street valve to open and close it.

Trustee Libordi-They broke our hydrant.

Mayor Falci – What's the latest that the City has come up with.

Greg- They said they would help us fix it.

Mayor Falci- They say it can be fixed. They believe it can be fixed.

Trustee Libordi- I'm not worried about it being fixed. What I'm saying is that, certainly, we didn't do anything to our own hydrant. I would imagine the construction company misused it.

Greg- yes that could be.

Trustee Glenn Thomas,- My question Greg, is the work you are doing at the DPW Garage out of this year's budget. You have just about exhausted it. What I'm looking at is you are showing me \$11,700 there and you only have \$12,100 left in the budget. And some from the sewer. I'm saying you're still running close. I want you to monitor it very closely because I don't want to end up with a negative. I'm saying if we can't do it this year it will have to wait until after June of this year and take from next years budget.

Mayor Falci makes a motion & 2<sup>nd</sup> by Trustee Pete DiRaimondo to accept the report. All in favor-

Mayor Falci                   Aye  
Trustee Thomas             Aye  
Trustee Libordi             Aye  
Trustee DiRaimondo        Aye  
And carried.

## **FIRE REPORT**

Given by Chief Michael Robbins.

- 1-Flow testing complete
- 2-Physicals will be in May on 2 days instead of 1 in Canistota.
- 3-PESH refresher is all done for this year; we have the other refreshers to schedule.
- 4-Banquet is April 19.
- 5-Received reimbursement from the DEC grant for \$960.81 to be put in equipment account.
- 6 -Present one member for approval - Joseph Horton which brings us to 33 members.
- 7-Request Village Board approval for bylaw change that you received in January.
- 8-We continue to purchase items in the equipment budget for the remainder of the year.
- 9-The estimated total for the equipment donated to us from Point Breeze Fire Dept. is \$140,500.00. Thank you again to Trustee DiRaimondo for making that contact for the department.

Calls for February

2/2/2014	School Checks	Town & Village
2/5/2014	1 Car MVA	Town
2/8/2014	HAZ Mat	Town
2/9/2014	School Checks	Town & Village
2/20/2014	Electric Pole Fire	Town
2/23/2014	School Checks	Town & Village
Total Calls	6	
Town	3	
Village	0	
Fire Alarm Checks	3	
M/A	0	

Chief Robbins -The budget is attached. The Mayor asked me to put together a letter with the other Chiefs pertaining to the ladder truck and the tanker and the breakdown for the last 2 years budgets and what was in the budgets for the ladder truck. I can read the letter if you want me to.

Mayor Falci – I don't think that will be necessary. This is great. This will give us an opportunity to read it. -I would like to wait until Bill is here, too. And then we can come up with any questions.

Chief Robbins-As you can see, in the current budget that we are working on that hasn't been approved yet, there is \$3,576 allotted for the ladder truck, and in last year's budget \$5,976 allotted. And for right now all I have is the approval of Joseph Horton as a new member. This will bring us to 33 members.

Trustee Libordi –Mike, the reason we went down \$1500 was?

Chief Robbins-We went down because we eliminated the \$1500 for the aerial inspection, and the \$900 for the aerial device preventative maintenance.

Mayor Falci- We have a ladder truck over there and we are just looking to what direction we should go with that. We know we are probably leaning, at least some of us would be leaning toward a tanker eventually, but we are looking about the value of that ladder truck. I asked Mike to come up with some reasons at the last

meeting why the value of that ladder truck is important to the department right at this time. Obviously at any time even half way through the budget we can get rid of a truck. So Mike came up with a letter today about why that ladder truck is important to us and we went to the budget to see what it would cost to keep that ladder truck in service. So I would like to have everybody get a chance to read this. And make notes and at our next meeting we will discuss it. We will discuss our next meeting tonight anyway. Mike thank you. Is there a motion to accept Mike's report?

Submitted by Michael A. Robbins, Fire Chief

A Motion was made by Trustee Glenn Thomas & 2<sup>nd</sup> by Trustee Frank Libordi and carried.

Mayor Falci	Aye
Trustee Thomas	Aye
Trustee Libordi	Aye
Trustee DiRaimondo	Aye

Mayor Falci- Chief Robbins presents Joseph Horton for new membership. He has gone through all the background checks and everything. Are there any questions about Joe Horton? This gives us 33 members and we are allowed 35.

Mayor Falci makes a motion and 2<sup>nd</sup> by Trustee DiRaimondo to accept Joseph Horton as a new member of the Fire Department. All in favor and carried.

Mayor Falci	Aye
Trustee Thomas	Aye
Trustee Libordi	Aye
Trustee DiRaimondo	Aye

#### **CODE ENFORCEMENT REPORT**

Mayor Falci -Bill Rusby Code enforcement officer is in attendance- We do have his report. Bill, do you have anything to add to your report?

Bill Rusby- the Fire Inspections have been started. I put the completed copies on Miss Patti's desk that I have done so far.

Next week Monday the 17<sup>th</sup> I will be in Code school in Rochester. I'm looking forward to it. Usually something interesting comes down from the state.

Mayor Falci- We are aware that there is a vacant house.

Mr. Rusby - The police have put it on their check list. The back door issue was supposed to be corrected. The Wells-Fargo lady that I contacted about property maintenance, it's amazing to be able to speak to someone in a financial institution and get the same person and she is familiar with it. Of all the ones that I have had to take under my wings in other municipalities they have been great. Now that we have made this contact I think it will be more positive. She did tell me that the property will be listed to go on to foreclosure, and auction, and so on.

Mayor Falci- this is the one next to Mr. Johnson's house?

Trustee Libordi- Bill, Did we have a problem with the lawn there, too? Did we have to hire someone to mow that lawn? I know we had something in the code about it.

Mr. Rusby- We did in the summer. We do have a section in the code if it gets so high. Then it gets put on the taxes. The only problem with that is it's hard to get that money back. It sounds like you will, they say they will but it has been my experience that these small amounts, we never get back. Hopefully when it goes up for auction somebody will grab it. At least we have a fairly good contact at Wells Fargo.

Mr. Libordi- We have had a lot of complaints registered from people who cannot walk on sidewalks because of snow removal. Some people shovel, some people don't. What options do we have? What options do you have?

Mr. Rusby – I haven't read that particular section of the code but it's a difficult law to enforce, that's for sure. There are some municipalities that put a blade on their equipment and do all the sidewalks if that's even an option. If it's a real problem I don't know how long it would take to do it without our own equipment. It's not like the old days when a kid went around with a shovel and made a couple three dollars. In Arkport, they must shovel within a reasonable length of time. It would be a good idea to put it in the news letter, even to put a copy of the Code in the news letter and a reminder.

Mayor Falci- Bill, I always thought there was something in the code about snow removal.

Mr. Rusby- I can check that out.

Trustee Thomas: We're doing the sidewalk over by Lowe's aren't we?

Greg - No.

Trustee Thomas - Who's doing those?

Greg - They are.

Trustee Thomas - But they weren't done because Sally Mehlenbacher was in here and complained.

Greg - But it is theirs.

Mayor Falci- Any other questions for Mr. Rusby? Then do I hear a motion to accept Code Enforcement officer Rusby's report?

A motion was made by Trustee Libordi and 2nd by Trustee DiRaimondo to accept Mr. Rusby's report.

All in Favor

Mayor Falci	Aye	
Trustee Thomas	Aye	
Trustee Libordi	Aye	
Trustee DiRaimondo	Aye	Motion carried.

## **NEW BUSINESS**

Mayor Falci introduced Mr. Dan Spitulnik.

Dan Spitulnik- I bought the building at 302 Seneca and would like relief of the sewer bill until I get the building up and running. I was notified that there is nothing in code.

Mayor Falci -

The policy is that when you come and petition the Board then we look into the situation and then we grant something. I look at your place as a new construction like a new house. As we do in Marick Park while construction is ongoing we charge one third of the sewer bill, if and when someone approaches the board, but not before a formal request is made. It is generally one third. Then once the water is running in the house then full sewer is charged per unit. During Construction you will be working with the Code Officer anyway. The December payment would have to be paid. Then I will recommend to the board that you will pay one third of the sewer bill 4 times a year until you have water running in the building. As I said, you will be working with the Code Officer anyway. We use this money to maintain the lines, and everything else.

(I will have to talk to the board about it. Our policy is that once you come to us then the action will happen.)

Mr. Spitulnik- What would the normal fee be for the building?

Mayor Falci- It is \$30 per unit.

Mr. Spitulnik- So if I had 6 units it would be \$180.00 four times a year.

Mayor Falci -I would recommend that we drop it until you tell us you have water. Then we will charge 1 unit. When the 2<sup>nd</sup> unit is done then we will charge for the next unit, etc.

Mr. Spitulnik- One other thing. There is a school sign in front of our house at 425 Cleveland. I wondered if there was a better location for it. We wondered if there was another location for that sign. I know that it has to be so many feet from the school.

Mayor Falci- I will talk to Greg and then to OIC Marcus Smith because we have to have the police involved.

Mayor Falci – Dorothy Graham has a neighbor who left their garbage uncovered and the garbage was all over the place because an animal got into it. Dorothy didn't want to make a big deal about it but now we do have it in the minutes. And we will have a reminder in the news letter in May as we always do. So it is noted in the minutes. And we are prepared to send a letter at any time. The garbage has to be in a can with a cover. And we will also put it in the news letter that will come out in May.

Mrs. Graham- What about people who don't rake their leaves. It's not fair that we all rake our leaves and when one person doesn't then we all end up with leaves again.

Mayor Falci-We have used Judges for appearance tickets for this sort of thing, and it seems to work. We will send a courtesy note just to give them the rules or whatever without mentioning any names.

Mayor Falci – Stacy Schieder- Her complaint is damage to her property due to the bridge project. She has met with Vince Spagnoletti but has gotten no help.

Stacy - I have brought it to his attention but no response. The bridge opened in November and I asked him to come over and look at the problem. I'm here tonight out of frustration. I had an appointment 2 weeks ago with Senator O'Mara. I'm prepared to go as far as I need to go. I need to have the support of the Village. Vince Spagnoletti's answer is that it would be an abuse of tax payer's funds to do anything on my property. My property is not in good shape the way it was when the bridge project started.

Mayor Falci – Said he would contact Vince. The state laws would not allow it to remain in this condition.

Stacy- He ( Mr. Spagnoletti) knows the foundation is cracked. He is aware and has seen the photos of the damage.

Mayor Falci- Greg, do you think you could make recommendations if we were in charge of this.

Greg – Yes

Mayor Falci – I would like to see the photos.

Stacy – explains the photos.

Trustee Libordi – there is a reporter in the back. Has everyone seen the pictures.

Mayor Falci – I will call Vince and set up a meeting early next week.

Mayor Falci – Is there anyone else that wishes to address the board? None

Mayor Falci - By-laws changes in the Fire Department. We received these in January. The Fire Dept has voted to accept these.

Trustee Libordi – What is the reason behind the change? Is it just to make the hierarchy more organized? Cutting through red tape? So when you are on a scene communication will be clearer.

Chief Robbins: It will make it more organized. It will guarantee that there will be two people at the station as officers on the truck.

Mayor makes a motion and Glenn 2nds it to accept the by-law changes. All in favor.

Mayor Falci	Aye	
Trustee Thomas	Aye	
Trustee Libordi	Aye	
Trustee DiRaimondo	Aye	Carried

The EES Payment- Environmental Emergency Services- a warning service and we generally give them \$500.00. They would like to have us continue in their organization.

Trustee Thomas makes the motion and 2<sup>nd</sup> by Trustee Libordi to send the \$500.00. All in favor.

Mayor Falci	Aye	
Trustee Thomas	Aye	
Trustee Libordi	Aye	
Trustee DiRaimondo	Aye	Carried

Mayor Falci stated that the tax cap has nothing to do with the tax rate. We had a public hearing today. It's \$3.30 per thousand. We have one of the lowest taxes of any village in the state by far. .

## **RESOLUTION #5-2014**

The following resolution was offered by Mayor John Falci, seconded by Trustee Glenn Thomas and carried:

**RESOLVED**, by the Village of North Hornell Board of Trustees at their March 10, 2014 Regular Board meeting adopt:

### **A local law authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c**

#### **Section 1. Legislative Intent**

It is the intent of this local law to allow the Village of North Hornell to adopt a budget for the fiscal year commencing June 1, 2014 that requires a real property levy in the excess of the "tax levy limit" as defined by General Municipal Law §3-c.

#### **Section 2. Authority**

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government's governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

#### **Section 3. Tax Levy Limit Override**

The Board of Trustees of the Village of North Hornell, County of Steuben, is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2014 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

#### **Section 4. Severability**

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

#### **Section 5. Effective date**

This local law shall take effect immediately upon filing with the Secretary of State.

	Aye	Nay
Mayor Falci	X	
Trustee Thomas	X	
Trustee Libordi	X	
Trustee DiRaimondo	X	
Trustee Coleman	ABSENT	

Mayor Falci- The April Meeting of the Village Board will be on the 21<sup>st</sup>. We will have a public hearing at 6:30 concerning the budget then the regular meeting at 7:00 and vote on the budget at that time.

We will have a budget workshop on Thursday, March 13, 5:30 pm.

I received a letter from Salon 96 concerning a 5 K race. Sun. April 6, 2014. They have already contacted the State Police and they will be there. I have their certificate of insurance. Do we have a motion?

Trustee Thomas makes the motion and Trustee Libordi 2<sup>nd</sup> to approve.

**PAY BILLS**

General Fund - \$24,495.71 Vouchers 350-383  
Sewer Fund - \$1,036.05 Vouchers 52-55

Motion made by Trustee Thomas and 2<sup>nd</sup> by Trustee DiRaimondo to pay bills.

Mayor Falci	Aye
Trustee Thomas	Aye
Trustee Libordi	Aye
Trustee DiRaimondo	Aye

Motion to adjourn by Trustee DiRaimondo, 2<sup>nd</sup> by Trustee Libordi and carried.

Mayor Falci	Aye
Trustee Thomas	Aye
Trustee Libordi	Aye
Trustee DiRaimondo	Aye

Respectfully submitted,

Deputy Clerk  
Marie R. Patti