

Village of Union Springs Board of Trustees

Minutes for January 19, 2016

In Attendance: Mayor Wade, Trustee Bud Shattuck, Trustees Dawn Locastro & Diego Ruiz, Kathryn Heath, Attorney Chad Hayden, Assistant Superintendent Jeff Weaver, WWTP Operator Trainee Jim Jeffers, CEO Howard Tanner, Deputy Clerk Jean Lanning
Excused: Village Clerk Joanne Fleming, Trustee Marion Case

From the Public: David Nelson, Cayuga County Planning Department and Tom Caponi, MRB Group

Meeting called to order at 6:00 pm by Mayor John Wade.

Hear from the Floor: David Nelson spoke about solar installation. Mayor John Wade signed the Memorandum of Agreement. The Village received a grant for \$2500 to encourage solar installation. The clerk's office will generate a population statement. There is a standardized process in place so that all communities should be equal. The permit fee for Union Springs will be the same as Port Byron which is \$75.00 Anyone in the community interested in solar installation needs to submit two sets of plans and pay the \$75.00 fee. Trustee Bud Shattuck made the motion to accept the resolution. Trustee Diego Ruiz seconded the motion. Passed. David Nelson left at 6:20 pm.

Tom Caponi representing the MRB group spoke about the Mill Pond, The DEC has classified the Mill Pond as an intermediate hazard dam which is Class B. There is a good chance that the dam could be reclassified as a low hazard dam which is Class A. If the Village does nothing, there will be a letter from the DEC which will result in a fine. The second option would be to breach (tear down) the dam. It will cost the Village \$15,000.00 to use MRB to develop a maintenance plan in order to come into compliance. The DEC would want to do an inspection and then see that a maintenance plan was in place. A breach analysis would be done, and an annual certification would be made.

The DEC has cited Union Springs for the vegetation around the pond on the west and north sides. DEC would like the vegetation and trees removed. Once the mill pond is reclassified to a low hazard status, just regular maintenance would be needed. If the pond remains as an intermediate hazard dam, there will need to be an engineering assessment every ten years.

It was said at this time that Basl and Kathryn Heath's property on Green Street floods heavily at times. The problem may or may not be related to the mill pond.

To breach a dam (pond), means to make the dam (pond) so that it flows out like a creek. A hole would need to be cut or a sleeve put in at the northwest section of the pond.

The DEC is concerned with the WWTP if a flood was to occur. Another concern are the trees. If a tree should fall into the mill pond, it could breach the dam and cause huge problems. The DEC recommends grass which has a shallow root system and can be mowed. The Village would have to import clay. Labor would be costly to remove the trees.

Even though the Village has been cited, there is no formal time frame. The problem will go away when the dam is reclassified. The decision was made to not do anything until spring (probably May) when the DEC will revisit the site. It was stated that the Village cannot accomplish the job without the help of MRB. Meanwhile the Village can take note of the water level, the spring flow which may vary, and the runoff. Mayor Wade said to table the subject until the April board meeting. Tom Caponi left at 7:02 pm.

At this point Kathryn Heath was formally appointed as the Village treasurer. Hereby be it resolved that Kathryn Heath be appointed to the office of Village Treasurer for an hourly wage of \$20.00 an hour. Trustee Diego Ruiz made the motion that Kathryn be appointed. Trustee Dawn Locastro seconded the motion. Passed.

Minutes of Previous Meeting

The motion to approve the December 15, 2015 minutes was made by Trustee Dawn Locastro and seconded by Trustee Shattuck. Passed.

Code Enforcement Officer Report:

**Union Springs Code Enforcement Report
Jan 2016**

Permits:

1601=Jason Guy-25 Park Street remodel whole house

Order to Remedy

Jason Barnes-construction debris behind building
24 oak drive-no permit for new structure

Certificate of Occupancy

Fire Inspections

Certificate of compliance

Appearances Ticket

Meranda Szozda 12 Arnold street (rubbish and Trash) new court date of December 2, 2015

Updates

- Fire inspection letters will be mailed for this year's fire inspections
- Parking notices 15
- The 2015 year end reports have been filled with the secretary of state
- Permit log has been given to the tax assessor

Respectfully submitted 1/11/16

Howard Tanner

CEO Howard Tanner reported that the Degraw family on Oak Drive had their permit application approved for a new shed. Jason Barnes is working on cleanup. A letter was sent to WE CARE, the Village's trash removal business with a copy of the noise ordinance because of a complaint of early morning dumpster tipping from a resident on Basin Street. Tanner stated that he had put fifteen warnings on automobiles in the downtown area. On each vehicle he left a copy of the local no parking law from 1985 and further stated that if the no parking law was violated, the owners of the vehicles would be ticketed. Tanner went on to report that the building inspection fee is \$35. Trustee Shattuck made the motion that a set fee of \$35 will be charged for a fire inspection in each commercial building. Trustee Locastro seconded the motion. Passed. Tanner stated that he had mailed out the census report concerning the building construction in the community. He then stated that for solar ground panels, most municipalities go to the Planning Board. The site plans need to be reviewed before approval. At this point Trustee Locastro reported that she had communicated with two families in the Village, one concerning a special

pickup up of many large items which needs to be paid for and the other for unsightly objects left on the sidewalk in front of the property.

Clerk's Report:

2016 Payroll Schedule has been put in each person's binder.
2016 Master Calendar has been put in each person's binder.

Treasurer's Report:

Kathryn Heath reported that the CHIPS payment was \$11,000.00 more than was anticipated. Heath then explained the reserve fund.

Audit of Bills:

General Fund: Vouchers: #377- #423 for \$25,466.63

Water Fund: Vouchers: #380- #421 for \$53,359.19

Sewer Fund: Vouchers: #381- #419 for \$15,901.92

Trust & Agency: Vouchers: #396- #422 for \$7,383.99

A motion was entered by Trustee Ruiz and seconded by Trustee Shattuck to approve the payment of the bills. Passed.

Dept. of Public Works:

Jeff Weaver reported that the DPW workers have spent a lot of time repairing the Village roads because of water main breaks.

Forty-nine new water meters have been installed since December 2015.

The new 2016 Ford F-350 has arrived. Weaver stated that a letter has been sent to DOT concerning the DPW report of activity. Attorney Hayden said that it's an indemnity document to make whole the state of New York if the Village causes any damage. Attorney Hayden will draft up a resolution. It will be in two parts: the undertaking which will make NYS whole (for 20 years), and the permit section which will be annual,

Village Attorney's Report:

Attorney Hayden spoke on the Village's situation concerning the improper application of pesticides. The fine was initially \$1000.00, but was reduced to \$750.00. The Village has done this for years without an applicator license which is needed. Because it is the Village's fault, the fee should be remitted in the name of the Village and the Mayor will sign the document instead of Jeff Weaver. Attorney Hayden will write the resolution to pay the fine of \$750.00 to the state. A motion was made for Attorney Hayden to write this resolution by Trustee Shattuck. The motion was seconded by Trustee Ruiz. Passed.

Attorney Hayden said that he will work on erecting a wooden support for a screen in the meeting room. This will be done so the Robert Doremus paintings on the north wall will not be disturbed. The screen which will be fastened to the wooden support will not be portable.

Attorney Hayden will send a copy of the check to Joe Heath concerning the Cayuga Indian payment to the Cayuga County legislature. There will be three payments made in 2016 of \$25,000.00 each. Mayor Wade stated that he is going to contact Mike Nozzolio to see about the reimbursement of the Section 10 money.

Trustee's Report

- **Locastro (Park Commissioner):** At this time there was a discussion about Bass Elite coming to Union Springs in June. Bass Elite would like more room. Stoda should be asked if Bass Elite may use their parking lot. If the split rail fence is taken down again this year, Bass Elite should put the fence back the way it was. It is too labor intensive for the DPW workers to put the fence back up, and it is not their job to do. It was reported that the Cayuga Nation and Cayuga County each gave Bass Elite \$10,000.00. Attendees were encouraged to attend the Chamber of Commerce meetings which are

held the second Thursday of the month in the dining room of Trinity United Church of Christ.

Old Business:

Mayor Wade talked about the retention ponds letter from the state. NYS doesn't feel that they need to do anything more. Retention ponds to them are inconsequential. The state has signed off on the culvert under Cayuga Street and they further stated that they are not pursuing retention ponds. Flash floods are not normal conditions that are engineered for by the state.

New Business:

Nico Aguilar has put in four attractive wooden benches along the trail on the south side of the Mill Pond. They are a welcome addition to that area and Nico's efforts are very much appreciated.

Jeanne Felder's written complaint about Karen Denmark's dog coming off its property and attacking her was picked up by Carl Collier's daughter. CEO Howard Tanner will draft a letter to Karen Denmark since there is a local law. He will do the research to see if a penalty is involved

The adoption of the employee handbook was tabled until the February board meeting.

Miscellaneous Correspondence: None

Motion to Adjourn:

The motion was entered by Trustee Shattuck and seconded by Trustee Locastro to adjourn the meeting. Passed. The meeting was adjourned at 8:45 pm

The February board meeting is scheduled for February 16, 2016 at 6:00 pm.

Respectfully Submitted,

Jean Lanning
Deputy Clerk