

Minutes of the regular meeting of the Board of Trustees of the Village of Rouses Point, New York, held on Tuesday, February 17, 2009 at Halstead Hall, commencing at 7:00 p.m.

PRESENT: George A. Rivers, Mayor
Brian B. Jefferson, Trustee
Kelly A. Penfield, Trustee
Jean L. Birtz, Trustee

ALSO PRESENT: Arsene F. Letourneau, Treasurer
Brian S. Pelkey, PWS

ABSENT: Francis J. Baker, Trustee

RECORDING SECRETARY: Carol A. Hanfield, Village Clerk

CALL MEETING TO ORDER:

Mayor Rivers called the meeting to order and began with the Pledge of Allegiance to the Flag.

COMMENTS FROM THE PUBLIC:

Lorraine Bourdeau, co-chair of the Planning Board stated that they have been working on revising a lot of the forms and asked the Board if they would like a copy for their review. She then said that they would like to get them revised so that they can put them on the website for easy access for everyone. Trustee Penfield stated that if these are official forms that we are going to be conducting business with through the Village, then they probably should be approved by the Village Board. The forms will be reviewed and approved at the next board meeting.

Lorraine also asked if it was possible to get the two pages of the applications to the Village and Zoning Boards and full packs to Melissa & Mike instead of complete packets for everyone. The Board will know what is happening and if they want more information they can ask for it. The Board did not have a problem with receiving the two pages. They will still receive copies of the minutes.

Geri Favreau, co-chair of the Planning Board was also present and asked if the Planning and Zoning fee schedule could be revised so the fees can be included with the packets. She also stated that the Clinton County Planning Board turned down the request from the Planning Board for a waiver on sending down applications for new businesses going into existing storefronts especially downtown. She stated that when she receives an applicaton and it has to go to the County she will send it down immediately which will help speed up the process.

MINUTES OF PREVIOUS MEETING:

Trustee Jefferson moved to approve the minutes of the regular meeting of February 2, 2009 and special meeting of March 9, 2009; Seconded by Trustee Birtz; AYE CARRIED

BILLS: VOUCHERS: 12066 – 12125 \$465,550.16

Treasurer Letourneau stated that there is one addition to be added to the list of bills from FIA Card Services - \$16.51 for NYPA meeting expenses and \$71.17 for office supplies for a total of \$87.68. Trustee Jefferson made a motion to approve the list of bills as amended; Seconded by Trustee Penfield; AYE CARRIED

CORRESPONDENCE:

The Clerk read a letter from Chad M. Ebere to Mike Bingel notifying him that he was resigning from his position as a police officer effective February 9, 2009. Trustee Birtz made a motion to accept the resignation from Chad Ebere; Seconded by Trustee Jefferson; AYE CARRIED

The Clerk read a letter from Montgomery Hose, Hook & Ladder Co., No. 1, Inc. notifying the Village Board of 2 new members. Trustee Penfield made a motion to approve Anna M. Duprey as a member and Chad Piche as “member with restrictions” for a probationary period of six months; Seconded by Trustee Birtz; AYE CARRIED

The Clerk read a letter from Linda Fredette requesting use of the community room at the Civic Center to house the Arts & Crafts, Computer & Reading Programs that the Town of Champlain sponsors for the children in the Village of Rouses Point. Due to renovations and construction at the high school it will not be available this year. Trustee Jefferson made a motion authorizing Linda Fredette to use the community room contingent on Mike O'Brian's schedule; Seconded by Trustee Birtz; AYE CARRIED

The Clerk read a letter from Michael Lemieux notifying the Village Board that he will be retiring April 30, 2009. Trustee Jefferson made a motion to accept Mike's resignation with regrets; Seconded by Trustee Birtz; AYE CARRIED

REPORTS OF THE MAYOR AND TRUSTEES:

MAYOR GEORGE A. RIVERS:

Mayor Rivers presented an Election Resolution designating the polling places, the hours the polls shall be open and addresses of those nominated and made a motion to approve this resolution; Seconded by Trustee Jefferson; ROLL CALL VOTE All Ayes (SEE ATTACHED)

Mayor Rivers requested a discussion on the Villages Dog Law and suggested that the fees for offenses need to be changed. It is presently \$25 for the 1st offense. This is not enough and he suggested that it be changed to \$100, 2nd - \$250 and 3rd - \$1,000. Trustee Jefferson asked about enforcing the law. Mayor Rivers explained that we have it on the books to be done. Trustee Penfield read a section of the Village Code that will allow the Board to take action and explained that the Board is aware of a situation of an ongoing case and we have to think about what we are aware of as a Village Board of what has been brought to our attention by a Village resident whose circumstance was affected by these animals and the liability that we could be looking at in the future of the same circumstances.

Trustee Birtz stated that under the Agriculture and Marketing Law the term of a dangerous dog is defined and it gives the judges and dog control officers certain authority. Discussion followed.

Trustee Penfield suggested that the Board use their power and put a stipulation on the owner of the dog. This Board has the power to do something and in her opinion they should choose to exercise that power. We can re-write the code for the future but for this particular case perhaps it will encourage some compliance. Mayor Rivers stated that he would like to meet with our attorney regarding this law. Discussion followed.

Trustee Penfield made a motion to apply Section (D) under 60-5 of the Village Code that the Board of Trustees serve the owner with a registered letter deeming him 5 days to find an alternate home for the animals and limiting his possession of a dog in the Village of Rouses Point for one (1) year; Seconded by Trustee Birtz; AYE CARRIED

The Board agreed to amend the fees for offenses. Mayor Rivers will contact the Village Attorney to make the necessary changes to amend the fees for the fines.

Mayor Rivers announced that the NYPA has invited the Village to participate in the 2009 TREE POWER PROGRAM. Trustee Jefferson made a motion to put money in the budget to participate in the tree program; Seconded by Trustee Penfield; The Board decided to place an order for five (5) which will give us ten (10). AYE CARRIED

Trustee Penfield made a motion to authorize the Clerk to publish a Legal Notice for Local Law #1 of the Year 2009 – Water Code; Seconded by Trustee Jefferson; AYE CARRIED

Mayor Rivers requested that all department heads update their website information.

TRUSTEE BRIAN B. JEFFERSON:

Trustee Jefferson stated that the Clinton County Health Department approved the Pilot Plan to Reconfigure WD Chlorination Locations and made a motion to accept this plan; Seconded by Trustee Penfield; AYE CARRIED

Trustee Jefferson read the proposal from Mike O'Brian for a Fee Schedule for Events/Use of the Civic Center. He proposed that a fee of \$500 be charged for the Samuel de Champlain Ballet

performances and in addition a fee of \$1.00 per person of the door receipts to be charged. For other events he proposes to charge a fee of \$350 per day and if events include a per person charge at the door a percentage be charged by the Civic Center. Treasurer Letourneau stated that in the past \$500 was charged for use of the Civic Center. Trustee Birtz stated that with the new marketing committee we may get more use of it. Trustee Penfield agreed with the \$500 but not sure about a percentage of the door receipts. Trustee Jefferson asked about the revenue that

Historical Society receives from this event. Geri Favreau explained what takes place and agreed to present a breakdown of what they do get from this event. Discussion followed and a decision was made that this will be reviewed again at a later date.

Trustee Penfield made a motion for a short recess so Trustee Jefferson could change the video tape; Seconded by Trustee Birtz; AYE CARRIED

TRUSTEE KELLY A. PENFIELD:

Trustee Penfield made a motion authorizing the Mayor to sign the ELAN contract for the design of the Veteran's Park Project (funded by 2006 EPF grant); Seconded by Trustee Jefferson; Trustee Penfield stated that the first committee meeting for the Veteran's Park Project will be held on February 26th at 5:15 p.m. Mayor Rivers then appointed Kelly Penfield and Tom Batha as new members of this committee. AYE CARRIED

Trustee Penfield stated that the pending grant from the Office of Homeland Security has been approved for \$79,876.44 and a contract is on its way. Trustee Penfield made a motion to authorize the Mayor to sign this contract when it arrives; Seconded by Trustee Birtz; AYE CARRIED

Trustee Penfield stated that she had attended the Public Input Meeting held last Thursday and it was a great meeting and well attended. They will be putting together a recommended package.

Trustee Penfield made a motion requesting an Executive Session to discuss Administrative Personnel; Seconded by Trustee Jefferson; ROLL CALL VOTE All Ayes

Trustee Penfield made a motion requesting an Executive Session to discuss Electric Personnel; Seconded by Trustee Jefferson; ROLL CALL VOTE All Ayes

Trustee Penfield made a motion requesting an Executive Session to discuss Electric Personnel; Seconded by Trustee Jefferson; ROLL CALL VOTE All Ayes

Trustee Penfield made a motion requesting an Executive Session to discuss CSEA Contract Negotiations; Seconded by Trustee Jefferson; ROLL CALL VOTE All Ayes

TRUSTEE JEAN L. BIRTZ:

Trustee Birtz made a motion requesting that the balance of \$5,000 for the Shared Services Committee be paid before June 1st; Seconded by Trustee Penfield; AYE CARRIED

Trustee Birtz made a motion requesting an Executive Session to discuss Library Personnel; Seconded by Trustee Penfield; ROLL CALL VOTE All Ayes

Trustee Birtz made a motion authorizing the Clerk to publish a Legal Notice to go out to bid for Library Portico (entrance) repairs; Seconded by Trustee Penfield; AYE CARRIED

TRUSTEE FRANCIS J. BAKER:

Absent

OPEN MEETING TO THE PUBLIC:

No one chose to address the Board.

RECESS:

Trustee Jefferson made a motion to recess at 8:10 p.m.; Seconded by Trustee Birtz; AYE CARRIED

EXECUTIVE SESSION:

No action taken during Executive Session regarding Administrative Personnel
No action taken during Executive Session regarding Electric Personnel
No action taken during Executive Session regarding Electric Personnel
No action taken during Executive Session regarding CSEA Contract Negotiations

RECONVENE:

Trustee Penfield made a motion authorizing the Mayor to sign the CSEA Contract when it has been returned with all corrections made; Seconded by Trustee Jefferson; AYE CARRIED

ADJOURNMENT:

Trustee Penfield made a motion to adjourn at 9:37 p.m.; Seconded by Trustee Jefferson;
AYE CARRIED

Respectfully submitted,

Carol A. Hanfield
Village Clerk