

Minutes of the regular meeting of the Board of Trustees of the Village of Rouses Point, New York held on Monday, March 2, 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 Pelkey, PW Supervisor

**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.

**BID RESULTS:**

The Clerk read the following bid results for Contract 2009-01 "Paving Various Locations Throughout the Village" (Beacon Heights, Mountain View Drive, Kavanaugh Drive & Delaware Street):

Plattsburgh Paving Company	\$128,400	Cashier's Ck. Attached
Noel J. Brunell & Son Inc.	\$167,930	Bid Bond Attached
Carter's Blacktopping, Inc.	\$136,750	Bid Bond Attached
Pike Industries	\$154,245	Bid Bond Attached
Steven E. Fuller	\$215,411	Bid Bond Attached

All bids were subject to price escalation.

PW Supervisor Pelkey recommended that due to the price escalation noted in all of the bids that the Board reject all bids. Discussion followed. Trustee Jefferson made a motion to reject all bids received; Seconded by Trustee Penfield; AYE CARRIED

**COMMENTS FROM THE PUBLIC:**

No one chose to address the Board.

**MINUTES OF MEETINGS:**

Trustee Jefferson made a motion to accept the minutes of February 17, 2009 as presented; Seconded by Trustee Birtz; AYE CARRIED

**BILLS:**

Treasurer Letourneau stated that there were no additions or deletions to the bills. Trustee Jefferson made a motion to pay the bills as presented; Seconded by Trustee Penfield; AYE CARRIED

**CORRESPONDENCE:**

The Village Clerk stated that she received a Renewal Application Notice Form from Sandi's Deli for the renewal of their liquor/beer license. This notice was received by Certified Mail.

The Clerk read a notice from the NYS DEC regarding Wastewater Panels for Local and Elected Representatives and a Basic Session will be held on Thursday, March 26, 2009 at Thatcher Hall, SUNY Potsdam. This Panel informs local representatives about their administrative, financial, and associated responsibilities relative to wastewater treatment plants and collection systems. No one chose to attend this session.

## **REPORTS FROM THE MAYOR AND BOARD:**

### **MAYOR GEORGE A. RIVERS:**

Mayor Rivers announced that the New York State Emergency Management Office in conjunction with the Clinton County Office of Emergency Services is sponsoring an Intermediate ICS for Expanding Incidents (I-300) Course April 29-May 1, 2009 from 8:00 a.m. – 4:30 p.m. It is mandatory that all Village supervisory/management personnel take this course. Many of the employees took this course three years ago. The Mayor will check on who needs to take this course.

Mayor Rivers stated that the moratorium on the storefront apartments in the downtown area has expired and it is necessary to have the attorney do the necessary paperwork for the renewal of this law. A lengthy discussion followed on a certain parcel in the downtown area that is being renovated. Trustee Penfield made a motion to authorize the Village Attorney to proceed with the draft renewal of this moratorium in the C1 district; Seconded by Trustee Jefferson; AYE CARRIED

Mayor Rivers recommended that the Board adopt the “Dangerous Dog” Law as a Village Law and there should be no reason as to why we can’t do this. Mayor Rivers made a motion to proceed with this NYS Law because of it being much stronger than our present law we have and also recommended that the fines be changed from \$25 for the first offense to \$50 and then \$250 and \$1000; Seconded by Trustee Jefferson; AYE CARRIED

Mayor Rivers stated that Rep. John McHugh has announced that the Village will be receiving \$95,000 for the D & H Station. The Senate now has to approve it. We will need to hire an engineer to do specifications and put the total package together. Mayor Rivers suggested that Barton & Lougidice be hired to do this project. He also requested that at the same time they look at the Fire Station. There is \$210m in the federal stimulus package available for fire stations. We have 100 days to get a package together and submitted. Mayor Rivers made a motion to hire Barton & Lougidice as the engineer for this project; Seconded by Trustee Jefferson; Trustee Penfield asked how the fees were going to be paid to the engineer. Mayor Rivers stated that we will probably have to pay up front but will get reimbursed from the grant just like the other grants. The Mayor will

explain to the engineer that as far as the work on the fire department they will get paid only if we receive a grant for the fire department. There is a basic schematic plan that was done about 11 years ago on the fire station that needs to be updated. AYE CARRIED

Mayor Rivers gave an update on the trip with Trustee Birtz to the NYCOM Legislative Conference in Albany. It was very interesting.

### **TRUSTEE JEFFERSON**

Trustee Jefferson made a motion to authorize Gary Molinski to attend the NYRWA technical conference scheduled for May 11-14, 2009 in Saratoga, NY; Seconded by Trustee Birtz; AYE CARRIED

Trustee Jefferson made a motion to authorize Bryon Gelineault & Eugene LeClair to attend a one day seminar in Plattsburgh, N.Y. on 03/24/09. This seminar is sponsored by the Northern New York Water Works Association; Seconded by Trustee Penfield; AYE CARRIED

Trustee Jefferson made a motion to authorize the Clerk to publish a Legal Notice to go out to bid for a relay cabinet for a circuit switcher; Seconded by Trustee Penfield; AYE CARRIED

### **TRUSTEE PENFIELD:**

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 Birtz; ROLL CALL VOTE All Ayes

Trustee Penfield reported that she met with the Court Clerk on Thursday the 19<sup>th</sup> of February and everything again is in very good order, is extremely well organized and very

accurate record keeping and Toni deserves a pat on the back for her hard work. For the record she read that – The Records of Justice LaBonte and Justice Favreau have been reviewed and appear to be satisfactory. This Audit was turned over to the Village Clerk.

Trustee Penfield stated the copy of the proposed fees for the Planning and Zoning need to be adopted. They were given to the Planning Board, Zoning Board, Codes Officer, etc. and at this time we are ready to reduce them to a form where we can actually adopt them. No one has made any comments on the changes. Trustee Penfield made a motion to adopt the list of Planning and Zoning fees that were listed with the proposed changes to the fees; Seconded by Trustee Jefferson;

Trustee Penfield stated that the only change that was made was on the contingency paragraph that we had decided on that is currently in our fee schedule and that would become part of it. The dollar values would change and in handling an application if the Planning or Zoning Board or Village Board needs to get assistance from an outside engineer or firm then the applicant would be notified up front that they will be charged whatever the Village needs to recover. She also explained to the Board why the Use Variance fee should stay at \$200. AYE CARRIED

Trustee Penfield made motion to authorize Tom Reid to attend the NYRWA 30<sup>th</sup> Annual Technical Conference & Exhibition 2009 in Saratoga, May 11 – 14, 2009; Seconded by Trustee Jefferson; AYE CARRIED

**TRUSTEE BIRTZ:**

Trustee Birtz had nothing to report.

**TRUSTEE BAKER:**

Absent

In the absence of Trustee Baker the Mayor stated that the fee schedule for the use of the Civic Center needs to be made however, the Board received a copy of a fee schedule another municipality and had not had a chance to review it and he suggested that the decision on the fees be postponed until the next meeting.

Mayor Rivers stated that the next item to be discussed is the approval of the Planning and Zoning Forms. The Board was given them a couple of weeks ago for review. The forms have been modified and simplified. Trustee Jefferson made a motion to approve the new Planning and Zoning Forms; Seconded by Trustee Birtz; AYE CARRIED

**OTHER REPORTS:**

**TREASURER:**

Treasurer Letourneau stated that the new website should be ready by March 31<sup>st</sup>.

Treasurer Letourneau also asked the Board to schedule another Budget Meeting for next Monday. The Board decided that the meeting will be held on Monday, March 9<sup>th</sup> at 4:00 p.m. at the Village Office.

**OPEN MEETING TO THE PUBLIC:**

No one chose to address the Board

**RECESS:**

Trustee Penfield made a motion to recess at 7:40 p.m.; Seconded by Trustee Birtz; AYE CARRIED

**EXECUTIVE SESSION:**

No action was taken during Executive Session regarding Electric Personnel  
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**RECONVENE:**

Mayor Rivers made a motion to reconvene at 8:03 p.m.; Seconded by Trustee Penfield; AYE CARRIED

Trustee Penfield made a motion that the Village Trustees approve Disciplinary Charges against a certain employee of the Village, and the Mayor be authorized to execute and serve such Charges; Seconded by Trustee Jefferson; AYE CARRIED

Trustee Penfield made a motion that in the event a hearing is required under Section 75 of the Civil Service Law, the Village Trustees appoint Mark Rogers, Esquire, as Hearing Officer to hear such Disciplinary Charges and the Mayor be authorized to take any necessary steps to confirm such appointment; Seconded by Trustee Birtz; AYE CARRIED

Trustee Penfield made a motion that in the event the employee elects to file a grievance objecting to the Disciplinary Charges, that the Mayor be authorized to immediately take Disciplinary action against the employee, in the form of a demotion in title and grade; Seconded by Trustee Jefferson; AYE CARRIED

**ADJOURNMENT:**

Trustee Penfield made a motion to adjourn at 8:08 p.m.; Seconded by Trustee Birtz; AYE CARRIED

Respectfully Submitted,

Carol A. Hanfield  
Village Clerk