

REGULAR SESSION OF THE VILLAGE BOARD OF TRUSTEES ON  
DECEMBER 9, 2003 AT MEADOWPARK COMMUNITY CENTER AT 7:00 P.M.

PRESENT: President Hayes, Trustees Smith, Edwards, Maasch, and Place, CT Hungerford, DCT Decker, Jeanne Fowler, Irene Bilow, Richard Axtell, John O'Connor, Tony Smith, Bertha Jenson, Clem Thomas, Peder and Kendra Hanson, Sue Shields, Marge Fiumera, Harry and Rebecca Dillio, Debbie Stever, Jim Conklin, Marg Hodel, Mary Cable, Sharon Wright, Terry Whiting, Stacey Axtell, Wilber Dennis, Eric Linkroum, Skip Decker, PWA Hubbard

President Hayes opened the meeting with the pledge of allegiance.

President Hayes informed those present that the public hearing would begin as soon as the Adams Cable representative and the Village Attorney arrived.

**MOTION #359/03-04**

Motion was made by Trustee Smith seconded by Trustee Maasch to accept for filing the monthly Police Report. The Motion carried unanimously.

**MOTION #360/03-04**

Motion was made by Trustee Smith seconded by Trustee Maasch to accept for filing the monthly EMS report. The motion carried unanimously.

**MOTION #361/03-04**

Motion was made by Trustee Smith seconded by Trustee Maasch to accept for filing the monthly Treasurers Report. The motion carried unanimously.

**MOTION #362/03-04**

Motion was made by Trustee Place seconded by Trustee Maasch to waive the reading of the minutes from November 11, 17<sup>th</sup> and 25<sup>th</sup>. The motion carried unanimously.

**MOTION #363/02-04**

Motion was made by Trustee Maasch seconded by Trustee Edwards to approve the minutes from November 11, 17<sup>th</sup>, and 25<sup>th</sup>. The motion carried unanimously.

Old Business:

Streets:

PWA Hubbard informed the board that his department needed the cooperation of the Village residents in the snow removal process. Cars need to be removed from overnight parking to allow for plowing and shoveling and blowing snow back into the street should be avoided. Hubbard also informed the board that he has the authority to have cars towed if need be.

PWA Hubbard stated that he had had complaints as to what garage our village vehicles were taken to for repair. Hubbard suggested going to bid for an hourly rate from local garages with renewal each year.

**MOTION #364/03-04**

Motion was made by Trustee Smith seconded by Trustee Maasch to advertise in the local paper for hourly rate of garages for repairs to the Village DPW vehicles. The motion carried unanimously.

Old Business

Sewer:

PWA Hubbard informed the board that the pump station on Leonard Way had quit. Upon inspection it was discovered that there was a bad relay. Hank Raymond put a jumper wire on it temporarily. Pump Service and Supply will order the new relay and make the necessary repairs.

**MOTION #365/03-04**

A motion was made by Trustee Maasch seconded by Trustee Place to award the bid of demolition of 42 Elm St. to Ellsley Construction for \$9,600. The motion carried unanimously.

**New Business:****Streets:**

PWA Hubbard informed the board that he had 54 work orders for the month and they are available for any board member to look at.

**Finance:**

CT Hungerford informed the board that the RFP's for the Elm St. Project for Engineers had to be placed in several newspapers to be received in January.

**MOTION #366/03-04**

Motion made by Trustee Smith seconded by Trustee Maasch to advertise in several newspapers for RFP's for engineering services for the Elm St. Project. The motion carried unanimously.

**MOTION #367/03-04**

A motion was made by Trustee Place seconded by Trustee Smith to approve the payment of \$9,807.00 to Central Testing and Engineering from the Fire Hall Project. The motion carried unanimously.

**MOTION #368/03-04**

A motion was made by Trustee Smith seconded by Trustee Place to approve the \$5,000 payment to Aaron Dean for the purchase of the Kelsey/Fire Dept. property on Second St. The motion carried unanimously.

**MOTION #369/03-04**

A motion was made by Trustee Smith seconded by Trustee Place to approve payment of \$400.00 to Aaron Dean for the legal fees incurred in the purchase of the Kelsey/Fire Dept. property. The motion carried unanimously.

**MOTION #370/03-04**

A motion was made by Trustee Smith seconded by Trustee Place to accept the 2003-2004 Stop DWI Contract with Broome County for \$2,000. The motion carried unanimously.

**MOTION #371/03-04**

A motion was made by Trustee Smith seconded by Trustee Maasch to approve the budget amendments presented by CT Hungerford. The motion carried unanimously. (see attached)

**MOTION #372/03-04**

A motion was made by Trustee Maasch seconded by Trustee Edwards to approve the Presidents signature on the Abstract of Audited Vouchers. The motion carried unanimously.

**MOTION #373/03-04**

A motion was made by Trustee Smith seconded by Trustee Place to accept the 2003-2003 contract with Broome County Office of the Aging for our Senior Center. The motion carried unanimously.

CT Hungerford presented the board with a request to close the office the day after Christmas and the day after New Years providing proper notification the newspapers and posting at village hall.

**MOTION #374/03-04**

A motion was made by Trustee Smith seconded by Trustee Maasch to close the office December 26<sup>th</sup>, 2003 and January 2, 2004. The motion carried unanimously.

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Budget Ammendment:

11-25-03  
5/29/03

To:	General	From:	General
A1010.4	259.84	A1210.4	259.84
A1620.1	724.71	A1620.13	724.71
A1620.22	303.26	A1620.2	303.26
A1620.4	1185.46	A1620.2	1185.46
A1910.41	184.25	A1920.4	184.25
A1910.41	510.67	A1450.4	510.67
A3120.11	376.71	A3120.1	376.71
A3120.13	1267.25	A3120.1	1267.25
A3120.15	164.4	A3120.1	164.4
A3120.19	712.4	A3120.1	712.4
A3620.4	175.45	A3620.2	175.45
A3620.4	43.12	A5010.2	43.12
A4540.49	416.2	A4540.46	416.2
A5110.1	28.97	A5110.11	28.97
A5112.1	1843.16	A5010.1	1843.16
A5112.11	480.34	A5010.1	480.34
A5132.4	509.46	A5132.1	509.46
A5410.1	2725.61	A5010.1	2725.61
A5410.11	139.91	A5410.11	139.91
A8170.11	280.47	A8170.1	280.47
A1320.4	3000	A8170.1	3000
A1440.4	467.02	A7550.4	467.02
A1440.4	1500	A8170.2	1500
A1440.4	1474.84	A9060.8	1474.84
	<b>8195.85</b>		<b>8195.85</b>
To:	Sewer	From:	Sewer
G1440.4	1027.44	G1440.41	1027.44
G8120.11	194.34	G8120.1	194.34
G8130.11	316.91	G8130.1	316.91
	<b>1538.69</b>		<b>1538.69</b>
To:	Water	From:	Water
F8320.11	519.3	F8320.1	519.3
F8340.1	851.44	F8330.1	851.44
F8340.11	1052.39	F8330.1	1052.39
	<b>2423.13</b>		<b>2423.13</b>

President Hayes informed the board of the Small Cities Grant for the year 2004. This year we received \$400,000 and we need to be thinking of a project for this upcoming year. Hayes asked PWA Hubbard to come up with a list of similar streets as Elm St. and present it to the board at the December work session.

**MOTION #375/03-04**

A motion was made by Trustee Smith seconded by Trustee Maasch to accept the Section 8 Housing Agreement. The motion carried unanimously.  
(see attached)

**PUBLIC HEARING  
ADAMS CABLE FRANCHISE  
7:40 P.M.**

The public hearing was opened at 7:40 p.m..

The public was asked to express their opinions of the Adams Cable Franchise. Various members of the public spoke including the following:

Richard Axtell asked to lower the fee to 1%, John O'Connor was against it altogether, he suggested cutting the budget in other places. Bertha Jenson stated that we had never utilized a franchise fee with Kaplan TV, we should not start now with Adams Cable. She stated the same as John O'Connor – the budget should be cut in other places rather than tax the people more. Wilber Dennis asked the question of how the franchise would benefit the taxpayers. President Hayes explained that allowing a franchise fee would reduce the overall taxes raised by the village. Tony Smith stated that there had been a 98% increase in taxes recently and was opposed to more. He also asked about fund balance from last year's budget. CT Hungerford invited Mr. Smith to stop in the Clerks office to discuss fund balance. Sharon Wright asked what the cable line assessment is currently and about the NYSEG and TDS gross receipts tax that the taxpayers all pay. Harry Diello mentioned that we all had to work together as a Village. Mary Cable stated that for some senior citizens, TV is all they had and should not have to pay more.

The Public Hearing closed at 8:10 p.m.

**MOTION #376/03-04**

President Hayes asked for a motion to set the Franchise fee at 2.5% Trustee Smith made the motion and Trustee Place seconded. President Hayes asked each Trustee for their input. Trustee Edwards stated he was against the Franchise fee and if passed, should be 1%. Trustee Maasch stated he was against any fee at all. He continued to say that budget cuts should be made rather than a tax passed on to the citizens. Trustee Smith had no comments. Trustee Place stated that costs keep going up in all departments and water and sewer budgets need to be maintained. Trustees Place and Smith were in favor of a 2.5% franchise fee, Trustees Edwards and Maasch opposed. President Hayes then stated he voted for the 2.5% fee breaking the tie. Motion carried

Richard Axtell then stated to the board that this was taxation without representation. Peder Hanson asked about the 626 Rule, which was part of the contract with Adams Cable.

**MOTION#377/03-04**

A motion was made by Trustee Smith seconded by Trustee Place to enter into and out of executive session. The motion carried unanimously.

**MOTION #378/03-04**

A motion was made by Smith seconded by Trustee Place to allow OIC Dawson to attend the Counter Terrorism class in Broome County on December 12, 2003, and to allow OIC Dawson to attend the DEP opening at the Beerston Precinct. The motion carried unanimously.

**MOTION #379/03-04**

Motion was made by Trustee Smith seconded by Trustee Place to have a Fire Department Oversight Committee Meeting next week on December 16, 2003. The motion carried unanimously.

**MOTION #380/03-04**

A motion was made by Trustee Smith seconded by Trustee Maash to authorize President Hayes to sign the employment contract with grant writer Susan Payne effective December 10, 2003. The motion carried unanimously.

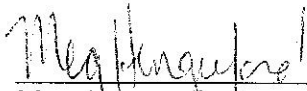
**MOTION #381/03-04**

A motion was made by Trustee Smith seconded by Trustee Place to enter into an In Rem Agreement with 349.13-7-23 at 56 Pine St. The motion carried unanimously.

**MOTION #382/03-04**

A motion was made by Trustee Smith seconded by Trustee Maasch to reject the In Rem agreement with 349.17-3-1 at 32 Pine St. The motion carried unanimously.

The meeting adjourned at 9:30 p.m.

  
Meg Hungerford  
Clerk Treasurer