

Present: Mayor William Murphy, Trustees Vince Buono, Don Hackett, Suzanne LeBlanc, Jeannine Dirie, and Patrick Landewe

Absent: Trustee Kelly Myers

Others: David Radovanovic, Virginia Lupino, Dick and Melanie Gardner, Maryanne Wrolsen, Rosemary Brackett, Scott Young, Alex Wade, Eyal Saad, Bob Ciarlante, George Terpening, Joe Bisignano, Heather Plonchak, Anthony Bell and others

Mayor Murphy called the Village Board to order at 7:00pm. Trustee LeBlanc led the Pledge of Allegiance to the Flag.

#### Privilege of the Floor

Maryann Wrolsen read a prepared statement (copy attached) on behalf Rosemarie Brackett (Rosemarie was filming the Board meeting for TV23). Mrs. Brackett is concerned about the lack of notification to her and others regarding the proposed blasting by the Partition Street Project Developers. Some of her neighbors received a letter informing them of the opportunity to participate in a pre-blast survey, many did not. Mrs. Brackett would like notification to go to more of her neighbors and that the public to be better informed. Mayor Murphy responded by saying he was made aware of the Maine Blasting letter on Friday, August 13<sup>th</sup> and has asked for a copy to be sent to the Village.

David Radovanovic also spoke about the proposed blasting. He lived on Ulster Avenue when Price Chopper was built – no notification was given to surrounding property owners and damage was caused to his property by drilling into rock. He presently lives on Dock Street and is concerned about egress during blasting. He wants a schedule of the blasting. He also wants more neighbors to receive the pre-blast survey notification letter. The notification date of August 20<sup>th</sup> is not sufficient – he wants a plan in writing and wants the Village Board to make sure everything is done properly.

Melanie Gardner, a resident of Dock Street, spoke. She did receive the pre-blast survey letter but has many questions. She wants to know all of the blasting regulations. Eyal Saad, the Village Code Enforcement Officer, advised that the Village has no blasting laws, however NYS does have regulations that must be followed. David Radovanovic suggested checking with the NYS DEC. Mayor Murphy promised to get more information to the public. Mrs. Gardner said she was informed that the mining company would blast 3 times per day for 2 to 3 months. Mr. Saad replied that the DEC is not the regulating authority. Mr. Radovanovic read the letter from Maine Blasting and wanted to know how the Village would ensure that everything is done properly. Much additional discussion followed. Virginia Lupino suggested that a 3<sup>rd</sup> party accompany the survey taker. Mr. Radovanovic said it is the homeowner's responsibility to do due diligence.

Scott Young spoke saying homeowners should contact their own insurance companies before any blasting is performed.

Mayor Murphy presented the minutes of August 2, 2010. Motion was made by Mayor Murphy, seconded by Trustee Dirie, to approve the minutes. Carried.

Trustee Buono presented the Abstract for August 16, 2010: General - \$57,162.80; Water - \$11,150.62; Wastewater - \$30,294.50; Water Distribution - \$106,982.41; Special Asset - \$1,333.50. Motion was made by Trustee Dirie, seconded by Trustee Hackett, to approve the Abstract. Carried.

Bob Ciarlante presented the DPW report (copy attached). Trustee LeBlanc asked if any addition roadwork was scheduled. Mr. Ciarlante said the DPW hoped to apply a 2<sup>nd</sup> coat to Lafayette Street and do some work on Beach Street.

George Terpening presented the Buildings and Grounds report (copy attached). Trustee Landewe reported that the water testing results for the Village Beach have been received from UC Health Department. The water at the beach is safe for swimming.

Anthony Bell presented the SFD report (copy attached). He thanked the Building & Grounds Department for getting the CA Lynch Firehouse in shape for the annual inspection on July 4<sup>th</sup>. Chief Bell reported there was one mishap during the July 4<sup>th</sup> parade.

Trustee Hackett presented the Wastewater Department report (copy attached).

Joe Bisignano presented the Water Department report (copy attached). He advised the Board that the water entering the treatment plant is much warmer than usual making it difficult to treat.

Eyal Saad advised the Board that the Partition Street Project developers are doing some site work. Mayor Murphy said he wanted Mr. Saad to make the blasting at the PSP site a priority. Mr. Saad reported that he is continually working on dilapidated properties in the Village.

Trustee LeBlanc reported the construction at Town Hall is causing some TV23 disruption. She also advised the Board that the Family Lodge has received site plan approval with conditions from the Planning Board. The Town and Village will review the over 10-year-old Comprehensive Plan.

Trustee Dirie alerted the Board to many upcoming area events.

Alex Wade advised the Board that his work for the census was complete. He has met with the NYS DOT regarding the Streetscape Project – some changes have been made to the plan and he will make a full report at a later date.

Trustee Buono had nothing to report to the Board.

Mayor Murphy presented Local Law #3/2010. This law authorizes a retirement incentive to eligible employees. The law was seconded by Trustee Buono and carried unanimously by those present.

Mayor Murphy presented Local Law #5/2010. This law adopts the newly published Village Code. The law was seconded by Trustee Landewe, and carried unanimously by those present.

Trustee Dirie presented Local Law #4/2010. This law amends some of the regulations of the solid waste law. Trustee LeBlanc seconded the law. Much discussion followed. Trustee Landewe began by saying that the wording “whenever possible” in Section B in the last version of the law was not enforceable. He went on to say that the law mandates that trash can storage cannot be visible from the street. He cited the dumpsters located behind Smith’s Hardware and Mother Earth are located behind the storefronts but are clearly visible from Partition Street. He feels Section B should end after the 1<sup>st</sup> sentence. Everyone has to deal with trash. Trustee LeBlanc responded by saying the Village has spent many dollars on beautification of the Village – once you leave the main streets the side streets are full of trash. Local Planning Boards regularly dictate that all new businesses shield dumpsters. The public should not have to look at trash. The Village needs a law for those residents who don’t care about their neighbors or neighborhood. A big part of the problem is absentee landlords. Trustee LeBlanc is ready to vote tonight. Trustee Hackett said he has problems with Section B. He feels neighbors should help neighbors remove trash cans from the street. Eyal Saad spoke saying he believes the law already in place works well. Forcing property owners to construct trash or dumpster enclosures will cost at least \$200.00. If a garbage can is overflowing, that is against the current law and can be enforced. He cited properties at the end of Elm and Market streets – no matter where the trashcan is stored, it will be seen from the street. More discussion followed. Trustee Buono spoke saying garbage is a part of life. He cited the property on the corner of Partition and Montgomery – the trashcans are stored neatly along the Montgomery Street side of the building. Trustee Buono feels that forcing a property owner to build an enclosure is too onerous. Mayor Murphy called for a vote. The vote was as follows: Trustee Landewe, Trustee Buono and Trustee Hackett voted no. Trustee LeBlanc, Trustee Dirie and Mayor Murphy voted yes. The tie vote results in the defeat of the law. Discussion took place about bringing the law back to the table for a vote in the future.

Motion was made by Trustee LeBlanc, seconded by Trustee Hackett, to adjourn. Carried. The Village Board adjourned at 8:20pm.

Respectfully submitted,

Mary Frank  
Village Clerk

Filed August 24, 2010

