

REGULAR BOARD MEETING OF THE VILLAGE OF ANGELICA BOARD OF TRUSTEES

FEBRUARY 16, 2009

HELD AT THE ANGELICA VILLAGE OFFICE

BOARD PRESENT: Mayor Peter Johnson – Trustees: Dana Guinnip, Robin Robbins, Roger Baker and John Schuler

EMPLOYEES PRESENT: Kevin Demick, James Brownell, Elwyn Gordon and Karen Herdman – Village Attorney, David Pullen

VISITORS PRESENT: Joel Kassirer, Robert Jones, John Hecker, Dean Scholes, William Weaver, Larry Shilling and David Haggstrom

Mayor Johnson called the regular meeting to order at 7:00pm.

Trustee Schuler motioned to waive the reading of the minutes from the regular meeting on January 19, 2009 – second Trustee Baker – Johnson-Aye, Guinnip-Aye, Robbins-Aye, Baker-Aye, Schuler-Aye

Trustee Robbins motioned to approve the minutes from the regular meeting held on January 19, 2009 as submitted – second Trustee Baker - Johnson-Aye, Guinnip-Aye, Robbins-Aye, Baker-Aye, Schuler-Aye

VISITORS

Joel Kassirer – Police Department – advised board that resident Andy Winterfedt of West Main Street had a complaint about the police department not returning messages. He needed a police report for a theft of his debit card on the internet – the board advised him that our department is part time.

John Hecker – Tree fell in creek – advised the board that a tree fell in the creek next to East End Market and would like to request the streets department remove it before high waters cause flooding – the department will take out tomorrow.

EMPLOYEES REPORTS

Kevin Demick – Streets Department

- Submitted a cost review on West Main Street Box Culvert/High Street Project
- Federal Stimulus Funds – submitted work to be done on Main Street and Peacock Hill Road – Total paving of Main Street, Sidewalk and Driveway approaches - Also submitted for bridge decks – wait and see what happens

Elwyn Gordon – Electric Department

- Working on trimming along the old 34.5 line
- Requested quotes on a refurbished 3750 transformer for new substation – approximate cost \$100,000 – will do substation in stages
- Installed temporary circuits at substation until new substation is complete
- Notified the board that a survey can be done this coming month by B & R Surveying, PLLC at the pole yard on Railroad Avenue – They will be surveying Transit Bridge property.

James Brownell – Water/Electric Department

- **Water Department** – Working on water meter repairs
- **Electric Department** – No Hydro Reduction for March 2009 – reported that Time Warner Cable has been working on transferring their equipment to the new poles – After they move their equipment Verizon will come in and move theirs and pull the old poles which will be given to the village
- Working on street lights and tree trimming – and some work on the substation

OLD BUSINESS

MY PLACE SIGN REQUEST – Street Supervisor will get specs and report back to the board.

NEW BUSINESS

RESOLUTION – Amendment Number Two – Electric Facilities Agreement - Offered by Trustee Dana Guinnip and seconded by Trustee John Schuler: Tentative Agreement with Hyland Facilities Associates, regarding an amendment of the Electric facilities Agreement originally dated March 18, 2008, - Additional information is now available regarding the actual costs of construction and financing of the project (see attached)

Roll Call Vote: Johnson – Aye, Guinnip-Aye, Robbins-Aye, Baker-Aye, Schuler-Aye – carried 5-0.

The Mayor thereupon declared the resolution to be duly adopted and proceeded to execute the Original version of Amendment Number Two to Electric Facilities Agreement.

RESOLUTION – Offered by Trustee Roger Baker and seconded by Trustee John Schuler – Authorizing the Clerk-Treasurer to sign the Office State Comptroller Exclusion application on the Electric Project Bond for fiscal year ending May 31, 2009 (see attached)

Roll Call Vote: Johnson – Aye, Guinnip-Aye, Robbins-Aye, Baker-Aye, Schuler-Aye – carried 5-0.

The Mayor thereupon declared the resolution to be duly adopted and proceeded to execute the exclusion.

RESOLUTION – Offered by Trustee Dana Guinnip and seconded by Trustee Roger Baker – A bond resolution, dated February 16, 2009, of the Village Board of Trustees of the Village of Angelica, Authorizing the Reconstruction of and construction of improvements to the Village Water System, at a maximum estimated cost not to exceed \$847,000, and authorizing the issuance of Serial Bonds in an aggregate principal amount not to exceed \$847,000, pursuant to the local finance law to finance said purpose, said amount to be offset by any Federal, State, County and/or local funds received, and delegating the power to issue bond anticipation notes in anticipation of the sale of such bonds to the Village Treasurer. (See attached)

Roll Call Vote: Johnson – Aye, Guinnip-Aye, Robbins-Aye, Baker-Aye, Schuler-Aye – carried 5-0.

The Mayor thereupon declared the resolution to be duly adopted.

RESOLUTION – Offered by Trustee John Schuler and seconded by Trustee Dana Guinnip – Legal Service Agreement to perform all customary legal services necessary to the organization, financing, construction, and improvement of the Village of Angelica Water System and Water Supply in accordance with the provisions of Article 11 of the Village Law of the State of New York (see attached)

Roll Call Vote: Johnson – Aye, Guinnip-Aye, Robbins-Aye, Baker-Aye, Schuler-Aye – carried 5-0.

The Mayor thereupon declared the resolution to be duly adopted.

RESOLUTION – Offered by Trustee Dana Guinnip and seconded by Trustee Roger Baker – increase existing appropriation in the Electric Fund general ledger number 97306.2.6 Bond Anticipation Notes (Principal) by \$650,000 for Fiscal Year Ending May 31, 2009 – (see attached)

Roll Call Vote: Johnson – Aye, Guinnip-Aye, Robbins-Aye, Baker-Aye, Schuler-Aye – carried 5-0.

The Mayor thereupon declared the resolution to be duly adopted.

RESOLUTION – Offered by Trustee John Schuler and seconded by Trustee Roger Baker – increase the Electric Fund general ledger number 5710.2 for Serial Bond Proceeds in the amount of \$650,000 for Fiscal Year Ending May 31, 2009 – (see attached)

Roll Call Vote: Johnson – Aye, Guinnip-Aye, Robbins-Aye, Baker-Aye, Schuler-Aye – carried 5-0.

The Mayor thereupon declared the resolution to be duly adopted.

LOCAL LAW – CODE ENFORCEMENT – received information from Code Enforcement Officer, Clair Beeman recommending adopting a local law on setbacks – Trustee Robbins motioned to table this until they can discuss it further in detail – second Trustee Baker - Johnson – Aye, Guinnip-Aye, Robbins-Aye, Baker-Aye, Schuler-Aye – carried 5-0.

EXECUTIVE SESSION – Trustee Guinnip motioned to enter executive session at 8:45pm to consult with Attorney – second Trustee Baker - Johnson – Aye, Guinnip-Aye, Robbins-Aye, Baker-Aye, Schuler-Aye – carried 5-0.

EXIT EXECUTIVE SESSION – Trustee Robbins motioned to exit executive session at 9:50pm – second Trustee Baker - Johnson – Aye, Guinnip-Aye, Robbins-Aye, Baker-Aye, Schuler-Aye – carried 5-0.

SUBDIVISION LOCAL LAW – Dave Pullen’s office still has an open file on this matter – need to know how to proceed – Trustee Robbins motioned to closed file on Subdivision Local Law – second Trustee Schuler - Johnson – Aye, Guinnip-Aye, Robbins-Aye, Baker-Aye, Schuler-Aye – carried 5-0.

CORRESPONDENCES

- Allegany County Legislators – Projects in Allegany County on Stimulus List
- Time Warner Cable – Rate Change
- Justice Report Dec (2305) Jan (1935)
- Balance Sheet/Operating Statements – January 2009
- February 2009 Shut-off Notice

CLAIMS

Trustee Robbins motioned to approve the **general fund** claims in the amount of **\$8,403.57** – second Trustee Guinnip - Johnson – Aye, Guinnip-Aye, Robbins-Aye, Baker-Aye, Schuler-Aye – carried.

Trustee Baker motioned to approve the **electric fund** claims in the amount of **\$109,281.06** – second Trustee Robbins - Johnson – Aye, Guinnip-Aye, Robbins-Aye, Baker-Aye, Schuler-Aye – carried.

Trustee Schuler motioned to approve the **water fund** claims in the amount of **\$3,366.38**- second Trustee Baker - Johnson – Aye, Guinnip-Aye, Robbins-Aye, Baker-Aye, Schuler-Aye – carried.

Trustee Guinnip motioned to approve the **electric project** claims in the amount of **\$3,016.86** – second Trustee Schuler - Johnson – Aye, Guinnip-Aye, Robbins-Aye, Baker-Aye, Schuler-Aye – carried.

Trustee Baker motioned to approve the **trust and agency** claims in the amount of **\$325.00** – second Trustee Schuler - Johnson – Aye, Guinnip-Aye, Robbins-Aye, Baker-Aye, Schuler-Aye – carried.

With no further business to discuss Trustee Baker motioned to adjourn at 9:59pm – second Trustee Schuler - Johnson – Aye, Guinnip-Aye, Robbins-Aye, Baker-Aye, Schuler-Aye – carried.

Respectfully Submitted,

Karen E. Herdman
Clerk-Treasurer