

REGULAR MEETING
December 17, 2008

The Regular Meeting of the Village Board of Trustees was held on December 17, 2008 at Watts dePeyster Hall. Called to order at 7:05pm.

The meeting was opened with the Pledge of Allegiance.

Present: Mayor Cordier, Deputy Mayor Cranna, Trustees Staffiero, Leedy and Ezrati

Public: Fred Cartier (P.A.N.D.A.), Christine Chale, Attorney, Steve Buso, CEO, Robert Staffiero, Tivoli Fire Dept. Chief, Bob Juliano, ZBA Board Alternate, John Ludwig, Gabrielle Green, Jeff Scales.

The Clerk reported the following:

- 1) The total water and sewer billed on December 1, 2008 is \$57,095.41
- 2) A General Election Day will be held in the Village of Tivoli on Wednesday, March 18, 2009. Deputy Mayor Cranna said he thought elections were held on Tuesdays. The Clerk pointed out that when the Tuesday falls on March 17th (St. Patrick's Day) the election is held on the next day. The election will be held to elect: One Mayor for a term of two years and two trustees for a term of two years. The Clerk announced that independent nominating petitions will be available in the Clerk's office beginning December 30, 2008.

The December 12, 2008 Emergency Meeting Minutes were approved on a motion by Trustee Leedy and seconded by Trustee Staffiero, all in favor.

The November 19, 2008 Regular Meeting Minutes were approved on a motion by Trustee Ezrati and seconded by Deputy Mayor Cranna, all in favor.

Abstract: The bills for Abstract #7 (260-307) in the amount of \$79658.53 were approved to be paid on a motion by Trustee Leedy, seconded by Trustee Ezrati, all in favor.

The Treasurer's Report was accepted on a motion made by Trustee Leedy and seconded by Trustee Staffiero, all in favor.

The ZEO Activity Report dated December 17, 2008 was reported (see attached) by Trustee Ezrati. The report was submitted by CEO Steven Buso.

Mayor Cordier reported the following:

- 1) Michele Greig, after first expressing condolences on the passing of Anita Micossi, resident of Tivoli and Chair of the Architectural Review Committee, presented a checklist to follow on procedures for the Village to follow to enact the bulk regulations into law. A discussion followed on keeping the original building character of Tivoli, i.e., small lots with shallow setbacks. Ms. Greig

suggested that the Village start the process in January. The Mayor and Board reflected on the fine work and dedication of Anita Micossi during her tenure on the Architectural Review Board. The Board will send a letter of condolence to the family and dedicate a page of these minutes to Anita Micossi's memory.

- 2) Michele Greig, speaking as a Trustee of the Board of the Tivoli Free Library reported that Erika Freudenberger, Program Director, has many new programs for children of all ages. The Library has a newsletter that can now be emailed. The Library has started an organization, Friends of the Tivoli Library. To join there is a suggested donation of \$5.00 per individual, \$10.00 per family, and \$25.00 per business. The Village of Tivoli Officials were invited to become the first "Friends" of the Library.
- 3) The Mayor addressed the recent State of Emergency declared on December 12, 2008 after a rain/ice storm knocked out power in the Village for approximately 18 hours and caused the aeration tank at the Sewer Treatment Plant to heave out of the ground, severing electrical and plumbing connections. The Mayor stressed that although the emergency announcement asked that residents conserve water and sewer usage, there was nothing ever wrong with the drinking water, as the wells were unaffected by the sewer treatment damage. The Sewer Treatment Plant is operation and all state and federal agencies have been notified. Flach industries and the engineers inspected the tank and Flach will stabilize the tank until permanent repairs can be made in the Spring. The Insurance adjustors inspected the damage and will send an engineer to do a further inspection and hopefully insurance will cover the damage. The Governor declared 12 counties disaster areas so there is a possibility that state or federal funds will be available to pay for repairs. Deputy Mayor Cranna complimented the Department of Public Works and The Tivoli Fire Department for pumping out 35 – 40 basements during the power outage. Trustee Ezrati thanked the junior firefighters for their help. Mayor Cordier thanked Cheryl Hilbrandt. Trustee Ezrati apologized for not having an emergency phone set up so that residents could get information, since the telephones at the Village offices did not work during the power outage, and next time an emergency occurs there will be a working phone.
- 4) **RESOLUTION 25-2008: Authorizing emergency stabilization work for the Sewage Treatment Plant in the Village of Tivoli** approved on a motion made by Trustee Ezrati and seconded by Trustee Leedy. A roll call commenced and all voted in favor.
- 5) Solid Waste Update – The Tivoli DPW taking over garbage removal in the Village is going well, although the cost of recycling is up.
- 6) Acting Justice – John D. Ludwig has been appointed as Acting Justice. Trustee Leedy remarked that he had an impressive resume, having worked in law enforcement for many years.
- 7) **RESOLUTION #22-2008: ESTABLISHING ELECTION DAY:** Pursuant to section 15-104(1)(b) of the Election Law, a General Election will be held on Wednesday, March 18, 2009 at the Historic Watts dePeyster hall, 1 Tivoli Commons, Tivoli, New York, between the hours of 12:00 noon and 9:00 pm,

and **BE IT RESOLVED**, that pursuant to Section 15-104 (3)(a), the election will be held to elect one (1) Mayor for a term of two (2) years and two (2) trustees for a term of two (2) years was passed on a motion made by Deputy Mayor Cranna, seconded by Trustee Ezrati, all in favor.

- 8) **RESOLUTION #23-2008 APPOINTING ELECTION INSPECTORS:** Pursuant to Section 15-116 of the Election Law the Village Board must appoint at least two (2) election inspector sand one (1) alternate. Village residents Margaret Lemon (Chairperson) and Judy Scott as election inspectors, and Jean Miller as alternate, each to be paid \$10.00 per hour. Passed on a motion made by Deputy Mayor Cranna and seconded by Trustee Staffiero, all in favor.
- 9) **RESOLUTION #24-2008: AUTHORIZING THE VILLAGE OF TIVOLI TO CREATE THE POSITION OF DEPUTY CLERK** was passed on a motion made by Trustee Ezrati and seconded by Trustee Leedy, all in favor.
- 10) Waterfront update – The purchase agreements were sent to CSX, waiting for their return. The Mayor went to Thayer at West Point with Harry Colgan to a seminar sponsored by Hudson Valley Historic River Towns. Jean McCrane, Manager of City of Newburgh spoke regarding the success of the water front development, she opened the process to the public. The Mayor will invite Ms. McCrane to speak about this process when the time comes.
- 11) Tivoli Fire Department Board of Directors met with the Tivoli Board of Trustees on December 16, 2008 at the Firehouse. Ideas were shared and the two Boards will try to meet twice per year. One thing discussed was eliminating parking spaces on the corners as they impede the fire trucks turning efficiently and in a timely manner during an emergency. Residents were reminded to help clear snow, etc. away from fire hydrants on their property. Trustee Ezrati stated that residents should have standard 911 address signs. These are available at Dutchess signs. Chief Staffiero reminded residents that vehicles with flashing blue lights should be given the right of way. The blue lights indicate that the drivers are EMT's. Drivers should pull off the road, not slow down, so that the EMT's can proceed safely.
- 12) The next meeting will be held at 7:00 pm January 21, 2009 (workshop 6:00 pm) at the Historic Watts dePeyster Hall.

Deputy Mayor Cranna reported the following:

- 1) There is a Tivoli Day 2009 Committee meeting on January 8, 2009 on the third floor at the Historic Watts dePeyster Hall.
- 2) Winterfest was a great event, more people came this year than last. Deputy Mayor Cranna thanked the Recreation committee, Jeremy Moore and Shepard Pepper for their hard work. Trustee Ezrati thanked everyone including Joe Tobin who provided the live music. Mayor Cordier thanked the monetary donors.

Trustee Staffiero reported the following:

- 1) There were 17 Fire Department calls in November.
- 2) Trustee Staffiero reminded residents to be careful with their Christmas trees.

Trustee Leedy reported the following:

- 1) Trustee Leedy reported the well output for November
- 2) Trustee Leedy read the Justice report for November.

Trustee Ezrati reported the following:

- 1) LOSAP – three retirees did receive their payment. She spoke to Dave Rogers of RBC regarding the sum of \$9000.00 available for investment, he will come to the January 21st Board meeting.

Public comment:

Chief Staffiero said he would like to purchase the six new radios discussed at the previous meeting, three for rescue and three for fire trucks. A comparison of outright purchase and leasing was discussed and it was agreed that an outright purchase was most cost effective and the money is available in the fire department budget.

Resident and ZBA alternate member Bob Juliano asked if the radios range would extend to the town of Red Hook/other fire departments. Chief Staffiero replied that up to 16 channels are available and during a major incident the Tivoli Fire Department can communicate with different fire companies.

Bob Juliano then asked about a maintenance agreement for the radios – Chief Staffiero replied that they only come with a one year warranty, although it can be renewed up to five years. Bob Juliano then asked if radios will be up to date five years from now. Chief Staffiero replied that yes, the technology will be up to date.

Chief Staffiero then said that during the 30 pump outs on 1/13 the pumper started to have problems. Ralph of Ralph's Auto thinks the seal is broken, needs to be re-built for \$600.00. There is money in the budget. New pumps cost \$1750 to \$2000 and can't justify buying two new ones.

The purchase of the radios was passed on a motion made by Trustee Ezrati and seconded by Trustee Leedy, all in favor. Trustee Ezrati made a motion to authorize repair to the pump, seconded by Trustee Leedy, all in favor.

Jeff Scales, resident, said that no one on Friendship and Diana Street could hear the emergency announcement the day of the ice storm because the ambulance did not drive down those streets, but stopped only at the intersection. Jeff then asked Tom to clarify how the people from Historic River Towns can help Tivoli. The Mayor replied that they can provide guidance from their experience developing their waterfront. The Mayor said he had investigated with NYMIR whether they would insure the waterfront property and absolutely they will increase coverage another million for \$360.00 per year.

Jeff: Any progress on purchase?

Tom: I said initially that I sent purchase agreements to CSX.

Jeff: Will there be any more opportunity for the public to comment?

Tom: No, that has been done. We will try to set up meeting with the committee and public, no meeting lately.

Bob Juliano: There have been public meetings all along.

Jeff: But some questions have not been answered.

Trustee Ezrati: Sorry there was no sign at the hall to direct phone calls and people to the firehouse. We will make sure in the case of emergency in the future that a working phone will be set up.

Chief Staffiero: The Firehouse has a generator, the public is welcome to come get warn if the power goes out.

Deputy Mayor Cranna adjourned the meeting in memory of Anita Micossi at 9:00 pm.

Respectfully submitted

Laura Queen
Village Clerk