

**VILLAGE OF COXSACKIE**  
**BOARD MINUTES**  
**November 9, 2009**

Mayor Mark Evans called the Board Meeting to order at 7:00 p.m. Present were Deputy Mayor Stephen Hanse, Trustee Dianne Ringwald, Trustee John Oliver and Trustee Greg Backus.

A motion to approve the Board minutes from October 13, 2009 and to dispense with reading of the same was made by Trustee Hanse and seconded by Trustee Oliver. Trustee Ringwald voted yes. Trustee Oliver voted yes. Trustee Backus voted yes. Trustee Hanse voted yes. The motion carried.

Mayor Evans then opened the Public Hearing on an Unsafe Building located at 23-25 Church Street owned by Paula Chandler by reading the notice sent to the homeowner. He then asked if Ms. Chandler was present and if so would she like to make a statement regarding this issue. Ms. Chandler was present and addressed the board. She said that the outdoor oil tank line had been severed and that is what caused the oil to leak out into the basement. When the fire company was called to pump out the basement they discovered that it was fuel oil and not water and immediately evacuated the tenants and had the water and electric turned off. Ms. Chandler said that she filed a claim with her insurance company, but that it was denied and she has been working with Dale from Albany Tank Service to remediate the oil spill. Ms. Chandler said that she has hired Matt Mason who is a structural engineer to help her to determine what needs to be done. She said that the electric at this location has been turned off and the meters have been pulled. She also stated that water from the other side of the road runs over onto her property causing a muddy mess in her front yard and also runs into her basement. She said that she has called and begged the Village DPW to come and alleviate the drainage problem, but was told that they are not permitted to go onto private property. She said that the water has to be removed from her basement and the dirt has to be taken out to remediate this situation. Ms. Chandler also said that she called the building inspector two years ago, but that he never returned her phone calls. She said that at that time improvements had been made to address the violations from 2007 and that such improvements included two new high efficiency boilers, installation of two new hot water heaters, rebuilding of both the kitchen and bathroom floors and painting of interior.

Mayor Evans questioned why nothing more has been done since 2007 and stated that now more water is present which causes concern about the structural integrity of the building. He asked Ms. Chandler what her plans for the building are and what sort of time frame is needed to bring the building up to code. Trustee Hanse said that Ms. Chandler is blaming everyone else for these problems when in fact they have been ongoing since 2007. The house is in violation of the building codes and the Village would like a plan and a time frame in which repairs will be made or the building will be destroyed.

Ms. Chandler replied that she has to act within the law and cannot just go in and take peoples belongings out. Trustee Backus stated that Ms. Chandler needs to get an engineer into the building to make sure the home is structurally in tact. Mayor Evans said that he spoke with her on October 21, 2009 and that he is waiting for a timeframe for repairs to be made. Ms. Chandler said that she would like a month to get the water and oil out and have the structural integrity checked.

Jason Shaw, Village of Coxsackie Attorney stated that for the past two years violations have been an on going problem at this location and suggested that the board keep a very short fuse on this. Mr. Shaw said that a professionally prepared remediation plan for removal of oil from an engineer or a contractor needs to be prepared and also said that the cost of remediation could well exceed the value of the property. He recommended that the board allow no more than thirty days to receive a report regarding the structural integrity of the building and a plan on how to proceed including a timeframe for completion of work. He said that the Board should write a letter to Ms. Chandler asking to receive a proposal from an engineer documenting how she will proceed.

Ms. Chandler said that the home seems safe, but Mayor Evans said that the Fire Chief said there was a problem with the stairs and he also felt there were several serious problems with the structure due to the water in the basement. Ms. Chandler said that she thought the Building Inspector could do the inspection instead of having Matt Mason come in to perform the inspection. Trustee Backus replied that it was necessary for Ms. Chandler to hire an engineer as the Building Inspector does not do this. Trustee Hanse stated that an engineers report needed to be received at least five days prior to the next board meeting on December 14, 2009.

Mayor Evans said that a letter would be sent to Ms. Chandler clarifying exactly what she needs to submit to the board along with a timeframe of when all repairs will be completed and if the board was not happy with the report that action could be taken to remove the home with removal costs being levied to the homeowners taxes.

Mayor Evans announced this concluded the portion of the Public Hearing and said that Ms. Leslie Copleston from the Cossackie Athens Central School District wanted to outline a plan for repairs and renovations that need to take place at the school.

Ms. Copleston said that a proposal was put out to vote last year which was defeated, but that repairs are now necessary and that the project will not have any increased cost to the tax payer. Repairs include new boilers in the Cossackie and EJ Arthur Elementary School in Athens, lighting in the Cossackie High School and the installation of solar panels to offset heating costs. The money will be taken from the million dollar capital reserve, State building aid money and Senator Seward has also managed to get some funding for this project. Energy savings will help pay for the project as well. The vote will be held on December 14, 2009 and a savings of 25% on fuel should be noticed. The green aspect of this project is a teachable tool for our children and we will also be reducing our carbon footprint.

### **Correspondence**

Mayor Evans reported that he had received a fact sheet from DEC on the clean-up of the old MG Carter property located on South River Street and advised the public of a comment period. Comments may be submitted to NYSDEC from 11/6/09 to 12/21/09.

### **Old Business**

Mayor Evans updated the public on the demolition of the old village building and stated that the bricks from the building will be stored off site and that they will eventually be put out to bid and sold to the highest bidder as is, as some of them contain lead paint.

Mayor Evans also gave an update on the Viaduct and said that CSX will repair a leak over the sidewalk that is emitting a black oily substance. They will also take care of a drainage problem that is causing stone to wash down from under the viaduct and onto the sidewalks below.

The Mayor also stated that the signs around the reservoir have been put up and that one has already been torn down and will be replaced.

### **New Business**

Mayor Evans reported that cash flow in both the water and sewer accounts continues to be a problem because bills are not being paid by several customers who choose to let their bills be levied onto their taxes and paid from their escrow accounts. He stated that the Village of Cossackie has a shut-off policy after ninety days and that we need to begin enforcing this policy to alleviate the financial problems the Village suffers because of this. An amnesty program will be developed so that owners may pay their bills prior to the January billing in full and the penalties will be waived for those who chose this option. If bills are not paid within the time frame permitted then water may be turned off. Mayor Evans said that while we sympathize with people who are having financial difficulties, the Village also has bills that need to be paid too.

He asked if any of the board members would like to speak regarding this subject, and Trustee John Oliver said that the current outstanding bills appear to run anywhere from \$21.00 up to \$5,000.00 and that the Village could use this money now. Trustee Stephen Hanse reiterated that the Village has a policy to turn water off to customers who have not paid their bills within ninety days from the billing date and that several communities do this to enforce their code.

Mayor Evans said that a letter will go out to all customers in the next two weeks and that meters need to be read and people need to pay their water and sewer bills. If they do not do this then the water will be turned off.

### **Liaisons & Board Reports**

Trustee Dianne Ringwald reported that there have been no water breaks this past month and that catch basins located on Upper Ely Street and Freleigh Place have been repaired. DPW is still picking up leaves and will continue to do so for awhile longer. Christmas by the River will be held on December 6, 2009 this year, but they have lost about fifteen vendor spaces downtown due to buildings being sold to new owners. The committee is looking for spaces to put vendors in and the day will begin with breakfast at Hose Co. 3 and end with carols at St. Mary's Church at 6:00 p.m.

Trustee Greg Backus said that there have been no major problems in the water plant and that hydrant flushing will be done in a few weeks. Waste water had to replace a pump at the sewer plant. Maintenance is up to date at both locations.

Trustee Stephen Hanse reported property on Hollister Street has been purchased and work is currently being done at that location. He said that the Zoning Board of Appeals held a public hearing on November 4, 2009 for a monopole tower, but that a quorum was not present so another meeting is scheduled for November 10, 2009. Trustee Hanse said that Sunny Jim's Sandwich Emporium will be opening up where Nancy's was in West Cocksackie. He also reported that interviews were conducted for the Code Enforcement position and that the board has offered the position to Christian Larsen and he has accepted it. He will probably begin work in a week or so.

Trustee John Oliver reported that the new police cruiser has been received and that the lettering needs to be completed and installation of police equipment needs to be taken care of. A couple of break ins took place in the Village of Cocksackie this past month and the police are asking everyone to be alert and mindful of who is around. The 5K run was a success and PAL is now planning a dance on November 20, 2009 at the Quarry Steakhouse to raise awareness of the PAL program. A clean-up day in McQuade Park will be held so that we can get ready for the opening of the skating rink. Trustee Oliver also reported that Captain Sam Mento was involved in an accident this past Friday in his personal vehicle, but that it was not serious. He also said that CSX denied the emergency railroad crossing off Cato Street, but he thinks we should pursue this as he feels that CSX does not realize how the flooding of the viaduct and the railroad crossing divides our entire Village.

### **Motions & Resolutions**

A resolution to adopt the Greene County Multi-Jurisdictional All-Hazard Mitigation Plan was read by Mayor Evans. A vote to approve the resolution was called for by Mayor Evans. Trustee Backus voted yes. Trustee Oliver voted yes. Trustee Ringwald voted yes. Trustee Hanse voted yes. The resolution was approved.

A resolution to adopt the Statement of Findings for UMH Properties was read and Attorney Kevin Young gave a brief explanation of what this meant. A motion to accept the Findings Statement was made by Trustee Backus and seconded by Trustee Ringwald. Trustee Backus voted yes. Trustee Oliver voted yes. Trustee Ringwald voted yes. Trustee Hanse voted yes. The motion carried.

A motion to approve the response to the Office of the State Comptroller regarding the 2009 audit was made by Trustee Hanse and seconded by Trustee Oliver. Trustee Backus

voted yes. Trustee Oliver voted yes. Trustee Ringwald voted yes. Trustee Hanse voted yes. The motion carried.

A motion to approve payment to Wayne Parks in the amount of \$1,220.10 for sewer charges erroneously billed at the Cocksackie Motel was made by Trustee Oliver and seconded by Trustee Backus. Trustee Backus voted yes. Trustee Hanse voted yes. Trustee Oliver voted yes. Trustee Ringwald voted yes. The motion carried.

A motion to approve reimbursement to Valerie Wynne in the amount of \$62.75 for water and \$68.15 for sewer levied to Village taxes after water had been shut off was made by Trustee Backus and seconded by Trustee Ringwald. Trustee Backus voted yes. Trustee Oliver voted yes. Trustee Ringwald voted yes. Trustee Hanse voted yes. The motion carried.

A motion to approve the purchase of an Automatic External Defibrillator Unit mounting case and supplies for the Village of Cocksackie municipal building to be paid for from the Contingency Fund in the amount of \$2,010.35 was made by Trustee Hanse and seconded by Trustee Oliver. Trustee Backus voted yes. Trustee Oliver voted yes. Trustee Hanse voted yes. Trustee Ringwald voted yes. The motion carried.

A motion to appoint Christian Larsen to the position of Code Enforcement/Building Inspector for a three month interim period was made by Trustee Hanse and seconded by Trustee Backus. Trustee Hanse voted yes. Trustee Backus voted yes. Trustee Oliver voted yes. Trustee Ringwald voted yes. The motion carried.

A resolution to authorize Deputy Mayor Stephen Hanse to sign legal documents related to state grants for the Office of Parks and Recreation for the state fiscal years 2008-09 and 2009-10 for Riverside Park enhancements for equipment only was made by Trustee Ringwald and seconded by Trustee Oliver. Trustee Hanse voted yes. Trustee Backus voted yes. Trustee Oliver voted yes. Trustee Ringwald voted yes. The motion carried.

A motion to approve appropriation changes as attached was made by Trustee Backus and seconded by Trustee Ringwald. Trustee Hanse voted yes. Trustee Backus voted yes. Trustee Oliver voted yes. Trustee Ringwald voted yes. The motion carried.

A motion to approve adjustments to water/sewer billings was made by Trustee Backus and seconded by Trustee Ringwald. Trustee Hanse voted yes. Trustee Backus voted yes. Trustee Oliver voted yes. Trustee Ringwald voted yes. The motion carried.

Let the minutes reflect that the Treasurer gave the following reports to the Board of Trustees: Monthly Report of Treasurer (detail statement of all money received and disbursed), Balance Sheet/Trial Balance, Detail of Revenues and Expenditures for all funds.

A motion to approve the bills on General Fund Abstract #6, vouchers 236-276 totaling \$25,145.51; Water fund Abstract #6, vouchers 119-145 totaling \$14,054.52; Sewer Fund Abstract #6, vouchers 132-166 totaling \$38,977.03 and Trust & Agency Abstract #6, vouchers #9-10, totaling \$1,124.98 was made by Trustee Oliver and seconded by Trustee Ringwald. Trustee Hanse voted yes. Trustee Backus voted yes. Trustee Oliver voted yes. Trustee Ringwald voted yes. The motion carried.

A motion to adjourn the Board meeting was made by Trustee Backus and seconded by Trustee Hanse. Trustee Hanse voted yes. Trustee Backus voted yes. Trustee Oliver voted yes. Trustee Ringwald voted yes. The motion carried.

The meeting was adjourned at 8:40 p.m.

Respectfully submitted,

Valerie Murphy  
Village Clerk