

VILLAGE OF BLOOMINGBURG, INC.
COTINUATION OF PUBLIC HEARINGS/REGULAR MEETING
Location: Village Hall – 13 North Road, Bloomingburg, New York 12790

May 8, 2014

Present: Village Mayor – Frank Gerardi
Village Trustee – James Johnson
Attorney for the Village: Steven Mogel
Engineer for the Village: Alfred Fusco, Jr.

Village Mayor Frank Gerardi called to order the Village of Bloomingburg Regular Meeting, Thursday, May 8, 2014, at 7:00 PM in the Village Hall, Bloomingburg, New York.

The meeting was opened with the Pledge of Allegiance.

CONTINUATION OF PUBLIC HEARINGS OPENED APRIL 24th

PUBLIC HEARING FOR PROPOSED LOCAL LAW #1 OF 2014-15, entitled “A LAW TO RECODIFY LOCAL LAWS AND RESOLUTIONS CONCERNING RESIDENCY OF APPOINTED VILLAGE OFFICERS,” which provides that persons shall not be ineligible for appointed Village offices because they do not reside within the Village of Bloomingburg.

No written comments had been received during the designated time period for submittal of written comments ending May 1st

F. Gerardi called for a motion to close the Public Hearing. A motion was made by J. Johnson and seconded by F. Gerardi. All in favor.

F. Gerardi called for a motion to adopt Local Law #1 of 2014-15. A motion was made by J. Johnson and seconded by F. Gerardi. All in favor.

PUBLIC HEARING FOR PROPOSED LOCAL LAW #2 OF 2014-15, entitled “A LAW TO RECODIFY LOCAL LAWS AND RESOLUTIONS CONCERNING RESIDENCY OF VILLAGE JUSTICE” which provides that a person shall not be ineligible to be elected or, in the event of a vacancy, appointed Village Justice, because he or she does not reside within the Village of Bloomingburg.

No written comments had been received during the designated time period for submittal of written comments ending May 1st

F. Gerardi called for a motion to close the Public Hearing. A motion was made by J. Johnson and seconded by F. Gerardi. All in favor.

F. Gerardi called for a motion to adopt Local Law #2 of 2014-15. A motion was made by J. Johnson and seconded by F. Gerardi. All in favor.

MAYOR'S REPORT

- a) Garbage Pick-Up Contract Renewal –contract for Village Garbage Pick-Up has been renewed for 2014-15 with Thompson Sanitation at the same rate as the prior year.
- b) Village Hall parking lot entrance and parking lot improvements have been completed by Todd Lyons paving.
- c) Village Hall chimney leak has been repaired with labor and materials donated by Andy Weil.

APPOINTMENTS

F. Gerardi called for a motion that the Village Board appoints Jamie Ferrara as Village Prosecutor for traffic matters to replace Scott Russell who was unable to fill his April 7, 2014 appointment due to conflicts with other court schedules.

A motion was made by J. Johnson and seconded by F. Gerardi. All in favor.

RESOLUTION TO CONTRACT JCO, INC. AS OPERATOR OF THE NEW (2014) WASTEWATER FACILITY AND AUTHORIZATION FOR MAYOR TO SIGN THE AGREEMENT TO CONTRACT JCO, INC. AS OPERATOR OF THE NEW WASTEWATER FACILITY

F. Gerardi called for a motion that the Village Board resolve that:

WHEREAS THE VILLAGE OF BLOOMINGBURG had requested a Request for Proposal (RFP) for the wastewater facility operation and maintenance of the new plant and system, one option for general oversight and another for total operations; and,

WHEREAS the Village of Bloomingburg received three (3) competitive responses; and,

WHEREAS the Village Board has decided to award the RFP for total operations; and,

WHEREAS the Village Board has reviewed costs and references of the providers;

BE IT RESOLVED that the Village Board hereby awards “Scope B” of the RFP to JCO, Inc. (P.O. Box 616, 110 Sullivan Street, Wurtsboro, New York 12790) in the amount of two thousand nine hundred seventy-five and 00/100 dollars (\$2,975.00) per month to the lowest qualifying bidder; and,

FURTHERMORE the Village Board authorizes the Mayor to sign a contract with the company for a two year period.

A motion was made by J. Johnson and seconded by F. Gerardi. All in favor.

INTRODUCTION OF PROPOSED LOCAL LAW AND SCHEDULING OF PUBLIC HEARING

concerning proposed Local Law No. 3 of 2014-15 entitled "A LOCAL LAW TO AMEND THE CODE OF THE VILLAGE OF BLOOMINGBURG SEWER USE LAW TO ESTABLISH AND IMPOSE SEWER RENTS FOR THE PERIODS OF JUNE 1,2014 TO MAY 31, 2015.

F. Gerardi called for a motion to schedule a Public Hearing concerning proposed Local Law #3 of 2014-15 to be held on May 29, 2014 at 7 PM. A motion was made by J. Johnson and seconded by F. Gerardi. All in favor.

REPORTS

Engineer for the Village/Building Inspector's Report

Al Fusco, Sr., Engineer for the Village, reported that since April 21, 2014 his firm had taken over the duties of Building Inspector. Currently Al Fusco, III, General Manager of the firm is conducting the Building Inspector/Code Enforcement responsibilities for the Village.

To date three (3) formal Stop Orders have been issued. Several complaints were investigated and acted on accordingly. The Building Department has provided several inspections in regards to the new construction on Winterton Rd.

In regards to the new construction on Winterton Rd., the Building Department continues to work with the developer to maintain compliance on the site.

F. Gerardi called for a motion to accept the Village Engineer/Building Inspector's report. A motion was made by J. Johnson and seconded by F. Gerardi. All in favor.

Approval of Abstract #12 of 2013-14

J. Johnson stated he had audited Abstract #12 of 2013-14 and had no questions concerning the payment of the submitted invoices.

F. Gerardi called for a motion to approve Abstract #12 of 2013-14. A motion was made by J. Johnson and seconded by F. Gerardi. All in favor.

Approval of minutes:

F. Gerardi called for a motion to the minutes of the Village Board Regular Meeting held on April 17, 2014. A motion was made by J. Johnson and seconded by F. Gerardi. All in favor.

F. Gerardi called for a motion to the minutes of the Village Board Public Hearing held on April 24, 2014. A motion was made by J. Johnson and seconded by F. Gerardi. All in favor.

ANNOUNCEMENTS

Village Clean-Up Day

Mayor Gerardi announced that a Village Spring Clean-Up Day has been scheduled for 6/2/2014. Thompson Sanitation will carry out pick-up. Pick-up will be for residential homes only (no commercial business pick-up). Put items out to curb on Sunday 6/1 for pick-up on Monday 6/2 (one day only). No hazardous waste will be picked up; this includes no construction debris (wood, sheetrock, etc.), TV's, car parts, paint, tires, computers, chemicals, dirt/stone.

Village of Bloomingburg 7/5/14 Parade

Mayor Gerardi announced that the Village is organizing a parade and Family Day to be held 7/5/14. Parade will start at Fire House. Family Day will be held in the Town of Mamakating Park. Seeking bands, floats, organizations to march in parade as well as volunteers and vendors for Family Day activities.

PUBLIC COMMENTS

A resident inquired if the Public Hearing for Local Laws #1 and #2 had concluded. Mayor responded that the hearings were closed at tonight's meeting and both laws were adopted.

There was an inquiry about the status of the work being done on 78 Main St. Mayor answered that work was approved by the Building Inspector to commence with work on the Pizza store only.

There was an inquiry as to whether a person who files a complaint with the Building Inspection can find out how that complaint was handled and/or concluded. Village Engineer responded that a written report is not prepared regarding this, but if a complainant requests information concerning a filed complaint the Building Inspector is available to answer any questions or concerns by the complainant.

The Engineer for the Village informed the public that an I/F sewer study has begun as was approved at a previous Board meeting. Residents will see workers entering manholes in a variety of locations (may even be in a back yard). Smoke tests are part of this test and residents should not be alarmed since all its activities are closely controlled. A report of findings for the residents will be ready in approximately two months. A member of the public stated the concern that information submitted for the studies for which the approvals of Chestnut Ridge were based on, (i.e.) water and sewer studies, maybe/were exaggerated. The resident inquired what assurances the public had that the studies were accurate. The Attorney for the Village recommended that if there were questions or complaints a complaint form should be filled in and submitted to the Building Department. The Engineer for the Village stated that his firm is concentrating on the present and forward, but that he would revisit the studies on an informal basis and if any discrepancies were found he would consult with the Attorney for the Village on how to proceed.

A question was asked by a member of the public inquiring whether the Chestnut Ridge developer had a permit to cut-in the driveway going to the new pump house. The Engineer for the Village responded that he had personally seen the Sullivan County Road Opening Permit for this site improvement. Mayor Girardi added that he personally went out to the site of driveway because he had received several inquiries about whether the driveway was permitted construction as well as a noise complaint about the machinery being used. He asked the foreman on the job if he would replace the loud machine with one that made less noise and they said the foreman

said he would. The driveway is on the approved site plan and is needed for access to the pump house which has a Village Building Permit.

A member of the public inquired about the status of the annexation lawsuit and whether any work on the Chestnut Ridge site is permitted. The Mayor responded that no determination has been made by the Court regarding the lawsuit. Until that decision there is a preliminary injunction which prohibits any further work to develop the site. The Attorney for the Village stated that the court order sets the perimeters of what is allowed or not allowed at the site. The Attorney for Village further stated for the public that the Village officials are in no way targeting any one person or group in the Village. All Village official activity is equally applied to all Village members/groups and within legal limitations.

EXECUTIVE SESSION

At 7:45pm F. Gerardi called for a motion to go into executive session to discuss pending litigation matters and that there would be no further Village Board action other than to adjourn upon return. A motion was made by J. Johnson and seconded by F. Gerardi. All in favor.

Board returned to regular meeting at 8:30 pm

MOTION TO ADJOURN

F. Gerardi called for a motion to adjourn the meeting. A motion was made by J. Johnson and seconded by F. Gerardi. All in favor.

Respectfully submitted,
Eileen Rogers, Clerk
Village of Bloomingburg