

Village of Tupper Lake
Board of Trustees
Minutes

Date: Tuesday, January 17, 2012
Location: Board Room
Meeting: Regular Monthly 5:30-9:45 PM

At the Regular Meeting of the Board of Trustees held this date, the following were present: Mayor Paul Maroun, Trustees Thomas Snyder, Leon LeBlanc, Charles Perham, Richard Donah and Village Clerk/Treasurer Mary A. Casagrain.

Also Present were CSEA Labor Relation Specialist Diane Johnson and Unit I President Martin Fuller.

Call Regular Meeting

To Order Mayor Maroun called the Regular Meeting to order and established the agenda at 5:30 pm.

Enter Executive

Session at 7:04 PM Motion by Trustee LeBlanc, seconded by Trustee Snyder to enter Executive Session at 5:32 PM to continue Unit I's Collective Bargaining Negotiations. (Carried 5-0)

**Reviewed CSEA
Unit I's January 17,
2012 1st Counter
Offer**

The board briefly reviewed CSEA Unit I's January 17, 2012 1st Counter Offer and agreed to make another counter offer for their consideration.

Out of Executive

Session at 6:20 PM Motion by Trustee LeBlanc, seconded by Trustee Snyder to exit Executive Session at 6:20 pm. (Carried 5-0)

Also present were Electric Superintendent John Bouck, Chief of Police Thomas Fee, Code Enforcement Officer Peter Edwards, Water/Wastewater Superintendent Mark Robillard, Volunteer Fire Department Member Mark Arsenault, Sean Foran with Hueber-Breuer Construction Co., Inc. and News Reporters Daniel McClelland, Patrick Bedore and Jessica Collier.

Pledge Pledge of allegiance to the flag.

Re-Call Regular Meeting

To Order Mayor Maroun re-called the Regular Meeting to order and established the agenda at 6:00 pm.

**Hueber-Breuer
Construction**

Co., Inc. Presentation Mr. Sean Foran with Hueber-Breuer Construction Co., Inc. presented a background of his company and what services they could provide the Village in helping the community decide on the feasibility of repairing or replacing our existing fire station.

Public Comment: There were no comments from the public.

Mayor's Announcements

& Misc.:

Official Website

Discussion

Trustee Donah briefly discussed the feasibility of consulting with a firm that would help develop an official website for the Village from Clarkson University called North Shore Solutions for under \$800 a year. He explained that we currently are represented on the Chamber of Commerce Website Tupper-Lake.com.

Beginning February 2, 2012 we are going to have to comply with new legislation requiring that we make available to the public a copy of the documents being reviewed by the board in the spirit of transparency.

No decisions were made at this time but Trustee Donah stated he would be working with David Tomberlin from the Chamber of Commerce/Town of Tupper Lake to find a resolution for the both of them.

Economic Growth
Report:
Grant Progress
Report

Trustee Donah explained that he and Melissa McManus are currently working on drafting a Grant Progress Report that would break-out our grants from 2008 forward highlighting the progress thus far and the timelines for each grant.

Fire Department
Thank-you - Tom &
Cheryl Arsenault

The Village acknowledged receipt of a thank-you from Thomas and Cheryl Arsenault thanking our volunteer fire fighters for their quick response to a chimney fire at their home.

2nd Annual Tupper
Lake Marathon
May 20, 2012

Motion by Trustee Snyder, seconded by Trustee Perham authorizing the 2nd Annual Tupper Lake Marathon to utilize the Municipal Park May 20, 2012 from 8:am to 2:pm for their event. The traffic pattern etc. has been approved by the Tupper Lake Police. Chief of Police Thomas Fee stated Mr. Bennett is still awaiting DOT approval of his course. (Carried 5-0)

Letters of Support
NC Chamber of Commerce
Funding

Motion by Trustee Snyder, seconded by Trustee Perham to authorize Mayor Maroun to send letters of support for the North Country Chamber of Commerce supporting 2012/2013 state budget continued funding for New York State Occupational Safety and Health Training and Education Programs (OSHT & E). (Carried 5-0)

APA Meeting
January 18-20, 2012
Advanced RSVP
Required

As a courtesy reminder the Adirondack Park Agency's January Meeting Agenda has been set for January 18-20, 2012 concerning the ACR Project, prior RSVP is required for attendance at the meeting in Ray Brook and the Wild Center so please let the Village Clerk know so she can made reservations for your attendance.

Mayor Maroun stated that he received notice today that the Chairman of the APA ruled against the Wild Groups motion to continue.

ARISE "All Good
Things" January
20, 2012

The community is welcomed to attend the ARISE "All Good Things January 20, 2012 Celebration" this Friday at the Park Restaurant.

Approve Minutes

Motion by Trustee Snyder, seconded by Trustee Donah to approve the Board Minutes for December 19, 2011 and January 4, 2012. (Carried 5-0)

Code Enforcement: Accept December Report	Motion by Trustee Snyder, seconded by Trustee Perham to approve the December Monthly Code Report and 2011 Local Government Uniform Code Administration and Enforcement Report. (Carried 5-0)
Burned Structures Update	Code Enforcement Officer Peter Edwards advised the board that the two structures burned out on Lake Street and Main Street are in the process of working with engineers and the NYS DOT concerning Code Rule 56 requirements updates to follow.
DPW: Municipal Park Improvements APA Jurisdictional Determination	It was noted that the Village received a Jurisdictional Determination from the APA for our LWRP Project for the Municipal Park Improvements for the formation of a new playground facility.
Sidewalk Sander Cab	It was noted that a Sander Cab would be ordered for the sidewalk sander, during inclement weather it is needed for the operator of the vehicle.
Fire: Accept December's Report	Motion by Trustee Perham, seconded by Trustee Snyder to approve the December 2011 Monthly Report. (Carried 5-0)
Franklin County Self- Insurance Physicals Scheduled	It was noted that we are working on scheduling our 2012 Volunteer Fire Department's Annual Physicals for the end of February as required by Franklin County Self-Insurance.
Town of Santa Clara Fire Contract	Mayor Maroun advised the board that the Volunteer Fire Department will not take the 35% previously given to the membership with the understanding that the funds will be used to fund the initiative to move the new station forward. The funds would be put in an escrow account for a new building and if there is not progress after 2-years the funds would be given back to the membership.
Town of Harrietstown Fire Contract	Mayor Maroun advised that the Village did not get the Town of Harrietstown Fire Contract but that he is very confident they are still very interested in negotiating with the Village of Tupper Lake for 2013.
#167 Vehicle Update	It was noted that the repairs to #167 Fire Vehicle were successful and it is now back in service.
Police: Accept December's Report	Motion by Trustee Snyder, seconded by Trustee LeBlanc to approve the December 2011 monthly report. (Carried 5-0)
Carfax Program Discussion	Chief of Police Thomas Fee advised the board that it is becoming more common for police departments to make available accident reports with Carfax, he would like to further research how we go about participating in the program and have our legal counsel review the program for future consideration.

AED Device Replacement	<p>Chief of Police Thomas Fee advised the board that our new AED device has been received and the Franklin County DA has offered to fund another device for the department through and grant they received, it has been ordered.</p> <p>The Police Department's AED training has been completed by Franklin County E911 and they have extended their training to other personnel of the Village free of charge. A future date will be established.</p> <p>Motion by Trustee Snyder, seconded by Trustee Perham to donate the old AED Devices back to AMC for parts. (Carried 5-0)</p>
Speed Alert Units	<p>Chief of Police Thomas Fee gave a brief overview of the speed alert units he was asked to research ranging in price from \$900 per unit to \$2,300 per unit depending on what kinds of data we would like them provide and collect. A more detailed presentation will be given at our next monthly meeting.</p>
Water/Wastewater: Budget Transfers	<p>Motion by Trustee Snyder, seconded by Trustee Perham to authorize budget transfer totaling \$67,500.00 for the Water fund. (Carried 5-0)</p>
Penn Power Systems	<p>It was noted that the Penn Power Systems Annual Preventative Maintenance contract was for repairs to be completed in next budget for the Water/Wastewater Funds and would be budgeted accordingly during budget work sessions.</p>
FEMA Repairs Started	<p>Water/Wastewater Superintendent Mark Robillard advised the board that his department have started the necessary repairs caused from this springs flooding that is subject to FEMA reimbursement.</p>
Electric: Electric Curtailment	<p>There will be no reduction in firm hydro energy sales for the period February 1-29, 2012 and the forecast to July is expected to be the same.</p>
MEUA Winter Engineering Workshop February 7 & 8, 2012	<p>Motion by Trustee Snyder, seconded by Trustee LeBlanc to authorize two members of the department to attend the MEUA Winter Engineering Workshop February 7 & 8, 2012 in East Syracuse to include registration, meals, lodging and mileage reimbursement. (Carried 5-0)</p>
Write-Offs Deceased Customer	<p>Motion by Trustee Snyder, seconded by Trustee LeBlanc to authorize the discharge of an account balance in the amount of \$352.58 for a deceased customer. (Carried 5-0)</p>
Electric Department Inventory Completed	<p>Electric Superintendent John Bouck advised the board that the Electric Department's Physical Inventory has been completed and they are seeking additional information from our software company to operate the software module in the coming week.</p>
Municipal Ball Field Lighting Project	<p>Electric Superintendent John Bouck advised that our current lighting fixtures are over 40+ years old. He is researching how NYPA can assist us. They may be able to provide their assistance of engineering, installation and financing the project start to finish. An update will be forthcoming. It was noted that the repairs are a matching portion to the recent 2011 LWRP grant we received for the Municipal Park.</p>

Treasurer:
Approve Warrant Motion by Trustee Snyder, seconded by Trustee Perham to approve the warrant in the amount of \$181,031.68 for payment of the bills for January 17, 2012 and approve the abstract of audited vouchers for the month of December 2012. (Carried 5-0)

Review Cash
Position Review the monthly cash position for December 31, 2011.

2011 Franklin County
Self-Insurance Acknowledge receipt of 2011's Franklin County Self-Insurance Rates as submitted.

Wage Theft Prevention
Act (WTPA) It was noted that the Village is working on compliance with the Wage Theft Prevention Act (WTPA) as required by New York State Labor Law and our employees will be receiving their first annual notice in the coming week.

Partners in Safety
Contract 2012 Motion by Trustee Snyder, seconded by Trustee Perham to authorize Mayor Maroun to execute our 2012 Partners In Safety Contract for our employees with CDL Licenses and pre-employment purposes etc. (Carried 5-0)

Time Warner Cable
Change In Premium It was noted that we received notice from Time Warner Cable that the Basic cable rates will increase from \$8.00 to \$9.00 per month and the Standard cable rates will decrease from \$64.95 to \$63.95 per our franchise area.

Reminder Office
Holiday Observances As a reminder the Village Offices will be closed on Monday, February 13 and February 20, 2012 in observance of Lincoln and Presidents Day respectively therefore our next Monthly Meeting will be held on Tuesday, February 21, 2012.

Enter Executive
Session at 8:47 PM Motion by Trustee LeBlanc, seconded by Trustee Snyder to enter Executive Session at 8:47 PM to discuss contract negotiations, proposed agreements with DANC and Verizon and personnel issues. (Carried 5-0)

Police Officer
Vacancy – Lateral
Transfer Brief discussion concerning a police officer vacancy and a lateral transfer from Malone. Chief of Police stated he is expecting to have a background check completed and civil service clearance for our next board meeting for consideration. There are no grades released yet for the Police Officer exam held in November.

Part-time Officers
Discussion It was suggested by Chief Fee that we may want to research the feasibility of Part-time Police Officers during the next contract negotiations with the Police Department in anticipation of reducing overhead expenses. It was noted that the Village of Saranac Lake is currently discussing as well.

Police Contract
Town of TL Mayor Maroun advised that he will initiate contact with the Town Supervisor Roger Amell in the coming week to establish an open line of communication to further discuss a Police Contract with the Town of Tupper Lake as advised by our legal counsel.

DANC/Verizon
Contract Negotiations It was noted that there would be a phone conference at 2:30 pm on Tuesday, January 24, 2012 with Verizon to further discuss renewal of our ongoing contract with Verizon and the Village Electric Department. Douglas Wright, Mike Donovan, Kevin Brocks, John Bouck will be joining the Mayor and Trustee Snyder on the phone conference.

DPW HEO/Fire Driver Return	It was noted that Mr. Michael Rule has received a return to work without restrictions following his surgery to the position of DPW Heavy Equipment Operator/Fire Driver as of January 6, 2012.
Personnel Disciplinary Agreements	The board briefly reviewed the disciplinary agreement and memorandum drafted by Girvin & Ferlazzo, P.C., no action taken.
Police Vehicle Damage 4/2011	The board briefly reviewed the NYMIR response to the accident involving the Village's police vehicle last April 2011.
Court Disposition Report	It was noted that the Village Board would like Village Justice Michael Demars to meet with them at our next Monthly Meeting to discuss Police Ticket dispositions.
Fire Department Follow-up December 16, 2011 Fire Call	It was noted by Trustee Donah that the Fire Chief Mark Picerno is completing his review of the fire call from December 16, 2011 of the Strader residence. Once it is complete it will be available for review. Trustee Donah advised he will be meeting in the coming days with representatives from the Fire Department to get better acclimated to the department and what his expectations will be from the part-time help at the station concerning cleanliness, and daily/monthly inspections of the vehicles and equipment etc.
Village Attorney Discussion	Mayor Paul Maroun advised the board he has spoken to the three local attorneys concerning being attorney of record for the Village. He expects Mr. Nathan Race with Hughes Stewart & Race, P.C. to visit in the next week. A drafted retainer agreement will forthcoming for the board to review.
Possible Retainer Agreement with Robert Fuller	Mayor Maroun advised he has spoken to former employee Mr. Robert Fuller about possibly entering into a retainer agreement with the Village to serve as a capital project consultant for several upcoming capital projects of the Village. Attorney Douglas Wright is currently drafting a contract for services.
Out of Executive Session at 9:00 PM	Motion by Trustee LeBlanc, seconded by Trustee Snyder to exit Executive Session at 9:30 pm. (Carried 5-0)
Approve Drafted Employee Handbook	Motion by Trustee Snyder, seconded by Trustee LeBlanc to formally adopt the drafted Employee Handbook as presented. (Carried 5-0)
Pickering Release 4/2011 Accident	Motion by Trustee Snyder, seconded by Trustee LeBlanc to authorize Attorney Douglas Wright to draft a release between the Village and Mr. Richard Pickering for the deductible he had to pay from the accident involving the Village's Police Vehicle last April of 2011. (Carried 5-0)
Adjournment	Motion by Trustee LeBlanc, seconded by Trustee Snyder to adjourn at 9:12 PM. (Carried 5-0)

Mary A. Casagrain, Village Clerk/Treasurer