

SPECIALLY CALLED VILLAGE BOARD MEETING –AUGUST 21, 2012

Mayor Reynolds opened the meeting at 7:00 p.m. with the Pledge of Allegiance. Also in attendance were Deputy Mayor Suitor, Trustees Adamson, Lockhart and VanDeusen, Attorney Caserta, Building Inspector Stevens, Bob Lannon of Connestoga-Rovers and Associates engineering firm as well as four residents.

The Mayor explained that this meeting was called to address specific items, namely the South Waterfront Dock situation, the removal of a dead tree and the matter of Ascaph which has just been brought to the Board's attention.

Agenda

1. South Dock

The Mayor thanked Trustee Lockhart and Building Inspector Stevens with regards to their input on the South Waterfront Dock. Building Inspector Stevens stated that gravity is pulling the dock into the water since there are no tiebacks holding it in place. Bob Lannon gave a brief update to the Board stating the dock is a tripping and safety hazard and needs to be addressed prior to winter when freezing and melting would make the problem worse. Mr. Lannon stated the dock may not make it through the winter. He also stated it is difficult to cordon off the area as boat access is needed. Building Inspector Stevens described a proposed plan using tiebacks. Mr. Lannon added this would stabilize the dock followed by filling the opened area that has been created. Three tiebacks would be used as well as recessed cement.

Timing on the project was briefly discussed with Mayor Reynolds adding we must move as quickly as possible now that we have been advised the dock may not make it through the winter. Mr. Lannon stated that cold weather concrete is not always best. He then advised declaring this an emergency situation. Attorney Caserta stated that if the dock is not safe, immediate action needs to be taken.

Trustee Lockhart motioned that repairs on the South Dock be considered emergency and to proceed with the repairs, seconded by Trustee Adamson and carried.

Donna Huggins of Main St. asked what the repair costs would be. Building Inspector Stevens estimated the cost for concrete, steel and labor to be \$27,500. A brief discussion took place regarding the cost. Trustee Lockhart then motioned that the cost for repairs should not exceed \$35,000., seconded by Trustee Adamson and carried. Norman Swann of Brampton Rd. questioned where the funds would come from, questioned why the dock savings account had not been closed out since the project was begun six years ago, why were funds borrowed for the project and related budgetary and taxation matters. Attorney Caserta stated the dock problem did not just appear. He reported that he recommend that the Board keep funds in the account. Trustee Lockhart stated that the account was not closed and that's why funds are still there.

Mr. Swann then questioned why roads were painted. Trustee VanDeusen stated it was part of the road improvements. A discussion took place regarding the road repairs made after budgetary adjustments had to be made to accommodate such repairs. Mayor Reynolds stated the meeting was called to address only the agenda items listed. Any other items could be addressed at the September 13, 2012 meeting.

2. Tree Removal

Mayor Reynolds stated a tree on Chestnut St. has had branches removed in an attempt to save it. Now, the tree cannot be saved and must be removed. Two price estimates have been obtained, Arbor Tree - \$1,600. and Acorn to Oak - \$1,800. Trustee Adamson recommended also getting a removal quote for a dead tree on Third St. across from the Village Hall and for a tree on Lockport St. Mayor Reynolds recommended Arbor Tree for the removal work. Trustee Lockhart suggested the Village Arborist, Jeff Tower is asked to give his recommendations regarding other Village trees. Trustee Lockhart then

motioned to have Arbor Tree remove the tree at 175 Chestnut St., seconded by Trustee VanDeusen and carried. Trustee VanDeusen asked if another tree would be planted to replace the one cut down. That decision will be made after conferring with Mr. Tower.

3. Ascapi Licensing

Mayor Reynolds stated the Village has recently been notified that we must pay a licensing fee as we sponsor the Friday concerts, street dances with music and we play music during the Christmas in the Village event. Fortunately, our fee is the smallest amount on the fee schedule which is \$320. per year.

Attorney Caserta advised the Board that Ascapi represents the interests of musicians and songwriters. These individuals own the copyrights and therefore, can charge when their music is played. Another group, BMI performs the same service and there is a possibility that we may be contacted for licensing fees from them also. Mr. Caserta reported he has reviewed the contract and spoken to the Ascapi representative as well as council for other municipalities. The fees to travel to the Nashville courts to fight the fee would be much more than the \$320. fee itself. Trustee Adamson motioned to accept the license agreement and to pay the yearly fee, seconded by Trustee VanDeusen and carried.

With no further business, Deputy Mayor Sutor motioned to adjourn the meeting, seconded by Trustee VanDeusen and carried. The meeting ended at 7:55 p.m.

Respectfully submitted,

Barbara J. Castilon
Clerk Treasurer