

**DECEMBER 14, 2009  
VILLAGE OF SPECULATOR  
BOARD OF TRUSTEES**

A Regular Meeting of the Village of Speculator Board of Trustees was held at the Village Hall, Elm Lake Road, Speculator, New York, on December 14, 2009.

**PRESENT:** Neil McGovern, Mayor; Letty Rudes, Cheryl Paestella, Del Cook, and Munro Collie Smith, Trustees; Florence Braunius, WWTP Chief Operator; Katie Smith, Village Attorney; and Bonnie J. Page, Village Clerk-Treasurer.

**GUESTS:** Tom Germain, regarding Oak Mt.; and Robert Hoffman, resident.

Mayor McGovern called the meeting to order at 7:00 p.m. and began the pledge of allegiance.

**MINUTES**

*Trustee Paestella made a motion to approve the minutes of the November 23rd meeting as presented. Trustee Rudes seconded and the motion was passed by the following vote: Rudes, Paestella, Cook, Smith and McGovern – aye; nays – none.*

**CORRESPONDENCE**

Mr. Hoffman asked about the protocol for when the mayor resigns to take the Town Supervisor position saying that he understood that the Deputy Mayor would take over the Mayor position. Mayor McGovern explained that is not the case and that it is up to the Board to determine the next mayor which is normally someone from within the Board. The Trustees then have the opportunity to appoint to fill the vacant position of Trustee.

Mrs. Turner addressed the Board on the importance of the cross-country ski trails. She asked that the Village have the trails ready for Christmas week. She said the ice skating rink is also a big draw and it should be addressed so that it is usable for Christmas week if the weather cooperates.

Mrs. Turner also commented on the advertising for Oak Mt. She'd been interviewed for Newsday magazine and reviewed the promotions for the area. She showed the Board some of the ads that have been circulated and described how some coupons for Oak Mt. would work and how they could quantify where the people are coming from to know where to direct the advertising. Some discussion ensued.

**FLORENCE BRAUNIUS, WWTP CHIEF OPERATOR**

Mrs. Braunius reviewed her written report which is made a part of these minutes (Attachment #1). She explained that with the purchase of the Mlog system, it included a one year

service agreement. She said that the renewal is \$1500 which was not budgeted as they were not aware of an on-going cost. Some discussion ensued.

Trustee Rudes made a motion to authorize the agreement for the annual service for the Mlog system and the payment for same. Trustee Smith seconded and the motion was passed by the following vote: Rudes, Paestella, Cook, Smith and McGovern – aye; nays – none.

Mrs. Braunius explained that the department had looked at the purchase of the camera system from the bidders at the last meeting. The Department recommended the purchase from Rochester Industrial Services which is the lowest bidder at the price of \$12,147.55. Some discussion ensued.

Trustee Cook made a motion to authorize the purchase of the sewer camera system from Rochester Industrial Services for \$12,147.55 in accordance with the bids received at the last meeting. Trustee Paestella seconded and the motion was passed by the following vote: Rudes, Paestella, Cook, Smith and McGovern – aye; nays – none.

Mrs. Braunius reviewed the need to develop an agreement with the Town of Lake Pleasant for receiving water from their floor drains. She asked whether the Board wanted to charge a fee and said that a price per 1,000 gallons of liquid needed to be set. She said she would call around and see what other plants are charging but to move the agreement forward, she gave the Board the price the Village had charged the NYS Dept. of Environmental Conservation of \$.075/gallon or \$75.00/thousand.

Trustee Cook made a motion to set a rate of \$.075 per gallon for water accepted from the Town of Lake Pleasant to put into the agreement. Trustee Paestella seconded and the motion was passed by the following vote: Rudes, Paestella, Cook, Smith and McGovern – aye; nays – none.

Trustee Rudes made a motion to charge \$100 to the Town of Lake Pleasant for the fee for the application to the Village to receive their water from the floor drains. Trustee Paestella seconded and the motion was passed by the following vote: Rudes, Paestella, Cook, Smith and McGovern – aye; nays – none.

Mayor McGovern noted some discussion with Samson, Reisinger's, etc. with regard to construction that is happening in that area. He said that some sewer hookups could take place that would make people in the area happy and get more people on the system. There was discussion on Mr. Reisinger's need for a pit for his water line. The connection for the sewer would be made at the Mark's property and that could be an issue.

## **CLERK-TREASURER'S REPORT**

Mrs. Page reviewed the enactment of legislation creating a Tier V in the NYS Retirement System and its effect on the Village. She also noted that the Village will be receiving a check from NYMIR for over \$1300.00 for the capitalization.

Trustee Smith made a motion to authorize the mayor's signature on the contract with Young Explosive's for July 3, 2010. Trustee Cook seconded. Discussion ensued on whether this amount could be increased. Mrs. Page said that money could be added up to the week before the display. The motion was passed by the following vote: Rudes, Paestella, Cook, Smith and McGovern – aye; nays – none.

Some discussion took place on health insurance. Mrs. Page reviewed the quotations received from the broker. The Board decided to stay with the current coverage. As no change was made, it would be just a renewal and no resolution was required.

## **ABSTRACTS**

Trustee Rudes made a motion to pay Abstract #13 in the following amounts: General Fund - \$8920.53, Water Fund - \$3257.79, Sewer Fund - \$684.26 and Oak Mt. Special Revenue - \$10701.81. Trustee Smith seconded and the motion was passed by the following vote: Rudes, Cook, and Paestella – ayes; nays – none.

## **OLD BUSINESS**

Mayor McGovern said the Village Hall remains on the Old Business as does the National Grid gross receipts tax.

Regarding Oak Mt., Mr. Germain reported on the inspections. He recited a list of persons he'd like the Board to hire for both short term and full time temporary positions.

Mr. Germain said his groomer needs to be repaired and the windshield has to be repaired as it was smashed out on Oak Mt. He said it runs perfect but does not go in reverse. He said that the person who broke it will probably contact the Board members about being restricted from driving the groomer and the Board supported Mr. Germain in his decision.

John Morrison needs some ski related parts and pieces ordered to make several of the sets of skis usable. There are probably 15-20 sets that can be put back in service with small parts. Some discussion took place on how to purchase the parts needed.

Trustee Smith made a motion to authorize John Morrison to purchase up to \$1000 for parts for the skis as needed. Trustee Paestella seconded and the motion was passed by the following vote: Rudes, Paestella, Cook, Smith and McGovern – ayes; nays – none.

Mr. Germain said there was a recommendation for some things that need fixing at the mountain. There is a light that needed to be repaired and the bulb needs to be ordered. He said that the work that was done by Ryan Germain and Randy LaVarnway resulted in no fine. There will be no fines but there are some things that have to be done during the summer.

Mayor McGovern stated the hours of operation for tubing for the coming weekend. It will be open Friday 4-9 p.m., Sat - noon-9 p.m., and Sun. noon – 5. Mrs. Smith suggested a flyer be sent home with the school children.

Mayor McGovern said that Mr. Germain is still on per diem and it's time to correct the salary. Some discussion ensued and Trustee Paestella suggested that this be discussed in Executive Session.

Mayor McGovern proposed a community event on January 10<sup>th</sup> from 5 p.m. – 8 p.m. The caterer will provide finger food and there will be some music. The event will honor those who will

be leaving elected office and give a chance for people to meet the newly elected people. The Board agreed that it was a good use for the mountain. Mayor McGovern invited the Board to be part of it.

Trustee Cook said people approached him and suggested the mountain could be losing revenue by not having skiing on the bunny hill on the tubing nights. He thought it could be explored further. It would involve one ski patroller and two employees. Mayor McGovern said that there is an issue with the ski patrollers because of Mr. Higgins's illness. Keith Taylor has offered to help get everything in order for the paperwork. There will be four certified national ski patrollers. John Mullen's has been approached to be the manager for the ski patrollers.

Trustee Cook motion to hire John Mullens at \$10.00 per hour. Trustee Smith seconded and the motion was passed by the following vote: Rudes, Paestella, Cook, Smith and McGovern – ayes; nays – none.

## **NEW BUSINESS**

Mayor McGovern gave the Board and Mrs. Page a copy of his resignation and said it is a painful one for him as it has been an honor to work with the group.

Trustee Rudes made a motion to accept the resignation of Mayor McGovern effective immediately. Trustee Paestella seconded and the motion was passed by the following vote: Rudes, Paestella, Cook, and Smith – ayes; nays – none.

Mr. McGovern vacated the mayor's seat and Deputy Mayor Cook took the meeting over.

Trustee Rudes made a motion to appoint Trustee Smith as acting mayor. Trustee Paestella seconded. The matter of the election law was discussed and it was noted that Trustee Smith would have to run for election in March 2010. The motion was passed by the following vote: Rudes, Paestella, Cook, and Smith – ayes; nays – none.

Deputy Mayor Cook vacated the mayor's seat and Acting Mayor Smith thanked Mr. McGovern for appointing him as a trustee to fill a term and for the work Mr. McGovern has done on the Board and with all the trials the Village has been through. Mr. McGovern commented on several workings of the Board of Trustees. Regarding the Smith Commission, Acting Mayor Smith said he would like to say there is no Smith Commission and make it an Oak Mt. Commission with Mr. McGovern and Trustee Cook. Both agreed to serve.

Acting Mayor Smith said that he and Mr. McGovern had spoken with Michael Tracy regarding being a Trustee and suggested that if the Board agreed, he'd like to appoint him. The Board agreed that Mr. Tracy should be appointed. Since it is a mayoral appointment, no resolution was necessary.

## **EXECUTIVE SESSION**

Trustee Cook made a motion to enter Executive Session at 8:45 p.m. to discuss hiring personnel for Oak Mt. Trustee Paestella seconded and the motion was passed by the following vote: Rudes, Paestella, Cook, Smith and McGovern – ayes; nays – none.

Trustee Rudes made a motion to adjourn the Executive Session at 8:55 p.m. Trustee Paestella seconded and the motion was passed by the following vote: Rudes, Paestella, Cook, and Smith – ayes; nays – none.

Trustee Paestella made a motion to hire the following people as temporary laborers for Oak Mt. at the rates noted: Gary Rhinehart at \$12.50/hr.; to increase the rate for James Abrams to \$12.50/hr.; to rehire at John Brener III, Nicholas Knapp, Michael Eobbi, Dave Turner, Matthew Begeal, and Brady Begeal at the same rate as last season; to hire Elizabeth Bant, James Bordwell, Monica Burke, and Kimberly Grubb at the rate of \$10.00/hour for the season. Trustee Rudes seconded and the motion was passed by the following vote: Rudes, Paestella, Cook, and Smith – ayes; nays – none.

Trustee Rudes made a motion correct the pay of Tom Germain for the prior period to the rate per hour instead of salary and additionally pay him up to the salaried amount for the prior period. Mr. Germain will be on salary effective December 14. Trustee Cook seconded and the motion was passed by the following vote: Rudes, Paestella, Cook, and Smith – ayes; nays – none.

Trustee Cook made a motion to adjourn the meeting at 8:57 p.m. Trustee Rudes seconded and the motion was passed by the following vote: Rudes, Paestella, Cook, and Smith – ayes; nays – none.

Respectfully Submitted,

Bonnie J. Page, CMC, RMC, CMFO  
Village Clerk-Treasurer

Next Meeting – Regular Meeting – December 28, 2009