

BOARD OF TRUSTEE MEETING 12/14/2021

MB – Mayor Barrett; TD – Trustee Donecker; TS – Trustee Smith; TC – Trustee Crary; TR – Trustee Rumsey - absent; ES – Ed Scharpou, WWTP Supervisor; CO – Crystal O’Brien; TM – Tracy Marshall

MB: Let's call this meeting to order with the Pledge of Allegiance.

ALL: I pledge allegiance to the flag the United States of America. And to the public, for which it stands, one nation, under God, indivisible, with liberty and justice for all.

MB: We call this meeting to order. Cindy Rumsey sends her regrets. She is away at a long awaited medical appointment and was not going to be back in town on time. I'd like to start out with a motion to accept the regular meeting minutes of November 23rd 2020. May I have a motion to accept the minutes?

TD: So moved.

TS: Second.

MB: Any comments, questions corrections to those minutes? OK hearing none, all in favor of approving the minutes, say “aye”.

ALL: Aye

MB: All opposed? Hearing none, motion carries. At this point I would like a motion to open the public hearing. May I have a motion to do that?

TD: So moved.

TS: Second.

MB: Mark Donecker with a second from Rebecca. Any comments or questions? No? All in favor say “aye”.

All: Aye.

MB: Motion carries. We're updating the billing frequency of Local Law and #2 of 2019 entitled Regulating sewer use and operations, and Local Law #3 of 2019, Regulating the water district and metering of same, of the Village of Speculator. These laws have been modified to reflect the quarterly billing cycle that we now use and have been using for the past several years. In addition, the sewer use and operations Law #2 of 2019 has been reformatted for ease of use and readability. Thank you Crystal for doing that. I'd like it open to the public for any comments on the billing cycle. Hearing no comments from the public, I would like a motion to close the public hearing.

TC: So Moved.

MB: Mark Crary. Second?

TD: Why not.

MB: Mark Donecker. All in favor of closing the public hearing say, “aye”.

ALL: Aye.

MB: All opposed? Motion carries. so at this point I would like a motion to approve the final amendments to update Local Law #2 and Local Law #3 regarding the updating of the quarterly billing. May I have a motion for that?

TD: So moved.

MB: Mark Donecker.

TS: Second.

MB: Rebecca Smith. Any comments or questions? Hearing none, all in favor say "aye"

ALL: "AYE"

MB: All opposed? Hearing none, motion carries. Now I'd like to open it up for public comment. Any comments? Hearing none I'd like to move on to the reporting of Wastewater and Water Department. Chief operator Ed Scharpou on the phone.

ES: Hello everybody. Can you hear me okay? I'll start with the Water Department. I'm going try to keep this as short as possible tonight. Our lead and copper samples have been certified. Everything has come back good that's all been sent to DOH with our last monthly report. We had a water main break on Marion Ave. It was a 6-inch main that had a shear break. We put a wrap on it and repaired it. I'm sure you've seen the cones down there. We have talked to the owner of the the property there and we told them that in the spring if we need to bring some soil in or something we can help fix it. The basement was not an issue. At the time we had looked in the basement, it didn't have any more water than it normally would have in it. I know that was a concern to some. Our new chlorination system has been installed and it is working exceptionally well. We can actually get readings above or well below what we actually like. It it's definitely an upgrade and improvement to what we had before where we were constantly fixing the system. Basically we went two sodium hypo chloride from calcium hypo chloride. Any questions on that?

MB: Yes, Ed. Is it running more efficiently?

ES: It's more trustworthy should I say. I don't know, that's not the right word but reliable. It's definitely more reliable. We don't have to worry about it as much as we did with the old system. It allows us to have a set schedule on what we need to do instead of it just being randomized which is very nice. We've read Camp of the Woods. It was reported from their people that they had a high reading on their main meter. We checked that meter and within another seven days or so they had another high reading. They have not found any issues and have not heard any calls anything in the last four or five days. So I'll be reading it again probably tomorrow just to touch base with them and we'll see where it's at. Our new valve for pump one has finally been received after 14 weeks of waiting. We will be installing this on Thursday. W2 operator group is coming up from south of Syracuse to do the install which is all new piping on the valve. It actually came with more than we thought. It was very expensive so it was good to see and while they're here we will try to have them troubleshoot the problem with the well. We're hoping it is this valve which we were to replace two years ago and we had some issues so we got it in this year if it isn't that I'm hoping that we can find out what it is and hopefully it's nothing too serious because it is part of the water budget.

TC: Ed was at the \$1000 invoice?

ES: Yes, it was. So that is an electronic check valve which is kind of an outdated system. When that was put in 20 years ago, it was right before VFD's and swing checks. Unfortunately, we don't have the money to upgrade the entire water system but we had the money to replace the valve and keep what we have I'm hoping in the future we can do a project where we can get rid of all that older style and system and go to a newer system which is much easier to work on. I can send you guys a picture of this valve I mean it's like a Frankenstein thing. Quite interesting.

MB: Well and we're very grateful for what you were able to do within the budget and it's our intention going forward that we will be able to carve out more funding or find grant monies to upgrade our site.

ES: I will say I appreciate that notion right now, but there's a good chance if there is another major problem then we're going to have to figure something out. I'm not sure how we will but we will I guess.

MB: We'll figure it out with you Ed.

ES: I'm hoping it's not the problem. I'm hoping the valve fixes it. My expenditures obviously the fluid kinetics was the big one, and then I had ordered a few things from Ferguson that I needed on the shelf. Lennie and I are both going to take some water courses this winter. I need 24 credits. Lennie still has two years but I'd rather not have him be in the position I am due to covid I couldn't get any courses in the summer so I'm going to have to do the entire thing on line, which is fine for me.

MB: And, money? You will let me have computer equipment that you can work on that?

ES: Yes, we have the tablet, we have my laptop that I donated the village, and then we have our desktops. We will mostly just do it during work so the course that I'm looking at I can take over three months and I can do it on my own time. It's not like a set time I have to sit there and watch a video or anything.

TD: Before you go to wastewater, we've had two breaks on both sides of Marion Ave. Do you think we should replace the pipe in the culvert? I'd hate to see that break over the winter.

ES: The break that we had two weeks ago is a separate pipe from the pipe break we had last year, so the one we had last week or the week before was a 6-inch main which Tees into that eight inch that broke on the liquor store side. I don't know why they did that to be honest. I don't know. I don't know if that's common practice or not but if we ever do have a problem where it's inside the pipe under the road then we're obviously going to either have to dig up the road and jackhammer that concrete just to get to the where the break is or we're going to shut it off tear it all out and replace the pipe. I'm hoping we don't run into that problem but yeah you never know. They pop up randomly and then obviously we will maintain the system and continue to check for water main breaks most of the time they're not an issue midwinter it's when the spring thaw it is and this one we had two weeks ago was strange but I think we had rain and it was cold and then it was warm and then we had rain and snow and so the ground started shifting a little which caused that. As for the wastewater Department our SPDES and DMR have been completed for November. We've submitted the haulers permit paperwork and receive that permit back. Crystal had helped me with that. She needed the workers comp paperwork to send in with that. Obviously, we're going to be working in the office a lot this winter. We land applied the biosolids. I was not sure if I had mentioned at the last meeting, and then I also didn't add in here to do is going to be we're going to be switching over to LED lights, which we still have to order them, and I did talk to Roger about that. Then as for the upgrade project, I'm having a meeting with Brendan on Wednesday to review the plans again. We've come to an agreement, well, they had a certain way they wanted to do all the piping for the new digester out back. I wasn't completely happy or satisfied with that so we are doing an alternate along with what they had planned to figure out which one is it's kind of like a cost benefit. So the way I want to do it is more straightforward but it involves demo and the other way does not but I think honestly in the end it's going to cost the same amount and it'll be

cleaner if they do it the original way we had planned but will review those plans so they'll have the alternate in with the bid package. Then as long as the plans look good I can approve them to go forward and go out to bid. Then I have a meeting with Jim Geiger sometime this week. He's just coming in to look at all the work that was done in contract, one, he's part of the EFC and he wants to make sure the money is actually going to projects that were doing. Any other questions on the project?

MB: I do have a question. If Brendan is going to be here on Wednesday, the three of us should touch base because FEMA is coming back about pump station 2 that was askewed from the FEMA storm, and so they had a couple of questions to ask you and Brendan.

ES: On top of what they've already asked us? I don't know if we can give him any more information than we already have.

MB: There were just some minimal questions, but if you and Brendan are in the same room together I thought it could be quickly addressed.

ES: OK let me know when a good time and I'll arrange it. I will call him tomorrow see what time he's coming up and then we can just sit down in the office and do a quick teleconference or something.

MB: That be great thank you.

ES: OK no problem. I did ask him to I think we've got all our letters basically for the project is this correct? From the DEC or the army core.

MB: Yes, we have it for the water main crossing that's what went through before and I have to double check with Lennie for the

ES: They've been pretty slow to respond. I had a conversation with Lennie and he said he pretty much had to do everything again because nobody's been answering him. That was a couple weeks ago. I talked to Brendan I thought that would be good to start at least getting some plans drawn up or along those lines once he's done with our main project just so that when it does finally get approved we can just move forward and get it done.

MB: Correct. Would be good. Any other questions for Ed? Alright, you are excused. Thank you and we appreciate you.

ES: Have a good night.

MB: Clerk treasure report, Crystal O'Brien you've got a lot.

CO: Well, no not too much. First, I spoke with Ted about the new accounting requirements that include the changes for the payroll. He said that really they're just changes to the account codes and really they're just changes to those letters in front of the account codes so only needed a time of reporting so we will have a pretty easy time changing that when it comes to reporting time next summer. I'm going skip over the resolution for now we can go back to those. In the employee benefits meeting on December 3rd went well. All the employees minus one were there. I'm still sorting out the HRA accounts with the Up State agency but as of right now we're pretty much all set for the beginning of the year for health insurance. The Village Hall is going to be closed on Christmas Day and at least half a day on Christmas Eve. The financial report number 6 is ready for review, and just so everybody remembers you are able to come in and the next couple of weeks to look over that if you don't want to have to quickly look over it then day of the meeting. I do have a couple of resolutions that I sent out I don't know if everybody saw those.

MB: Which do you want to start with?

CO: The trustee one. This one's pretty straightforward. It is just Trustee Crary and Trustee Donecker had given their salary back to the Village so this is just laying out where those, originally it was going to be to help with getting the summer help for the Department of Public works since we weren't originally planning on that but needed this year. However, that employee didn't work as much as we had anticipated so there was some monies leftover in which I have divided it out to the general election code. We will be, because of the postpone elections in September, we will be a little bit over budgeted at least I suppose we will be a little bit over budgeted on that about \$200. Then to help out with the additional monies that we were looking for the building code software that we needed to find in the budget, this will then cover that as well. Are there any questions about that?

MB: Let's have a motion to approve resolution for 2021 budget adjustments for trustees salary given back to village.

TD: Yes.

MB: Can I have a 2<sup>nd</sup>?

TS: Second.

MB: Any questions or comments? Hearing none all in favor say "aye".

ALL: Aye

MB: Opposed? Motion carries. Second resolution.

CO: The second one, it was discovered through conversation actually by a refund but through conversation with Brandon with Lamont Engineers that in disbursement number two we had missed a few invoices. He had never sent the breakdown. We mistakenly paid invoice 15 instead of 7- 11 that needed to be paid. Long story short that this is correcting that error, but the disbursement did roll into fund balance at the end of last year so we just we're pulling that out of fund balance and putting it back into the operating fund so that we can pay for this. Additionally, there was part of the invoice #7 that was not reimbursable from the sewer project state funds that should have been paid out of the operating fund and in conversation with Ed he wanted to also pull that amount out of the fund balance and use it for to pay that \$5700 now. Are there any questions about this one?

MB: You're taking out of fund balance enough monies to recover the sewer project state aid and pay for that portion that is not covered by the state aid?

CO: Correct.

MB: May I have a motion to accept this resolution for budget adjustments to correct the unpaid Lamont engineering invoices from disbursement two.

TC: So moved.

MB: Second?

TD: Mark.

MB: Any questions? Any further questions? Hearing none, all in favor of this resolution say, "Aye".

All: Aye

MB: All opposed? Motion carries.

CO: That is for me and I'm going to actually sign off.

MB: Wait. We're going to approve the motion to pay bills.

CO: Oh yes.

MB: May I have a motion to pay abstract 13?

TS: So moved.

MB: Rebecca, and 2<sup>nd</sup>?

TC: Second.

MB: Are any questions or comments? Mark Crary, as you had pointed out the \$10,000 invoice was for the well pump and everything else seems to be in order. All in favor of approving abstract 13 for payments.

All: Aye

MB: All opposed? Hearing none motion carries. Thank, you Crystal.

CO: Have a good night.

MB: Old business, COVID-19 my favorite. There had been after a relatively slow and quiet week last week there were four new positive cases reported in the County bringing the total up to 68 now. So, public health this monitoring 10 active cases at the present time and 57 people who were in contact with positive cases. Public health stated that 2 holiday parties had taken place where positive cases were in attendance and that's how they think these positive cases have spread. In addition there was an employee at the Tamarack Cafe who tested positive and worked while they were symptomatic. So public health is asking people who attended this cafe last Thursday, Friday, Saturday and Sunday to contact them with possible exposure to get tested. Public Health also issued a press release in partial response to a request for information regarding where the positive cases are located within the County. There are other counties that do this, but Hamilton County has not yet done so for a couple reasons. We have to remember that we have to obey HIPAA privacy laws and town by town data has been agreed that it will not be released unless the positive covid case count in one town is greater than six. They say that this is based on science and the protection of privacy for those affected by COVID. In the event of a possible exposure at a public location or even the public will be notified through a press release. COVID is currently hitting every area of Hamilton County and the number of cases in each town fluctuates on a daily basis. Public health started posting regular updates to the Hamilton County public health Facebook page including providing the number of positive cases, the recovered cases, and upcoming covid testing clinics. As you know, I'm also providing this information to each of the board members, each of the supervisors, the zoning board, planning board, fire Department, and local congregations. Therefore, they are urging the public to continue to be cautious and safe during the holiday season. If you are sick stay home. If you need a test, contact public health at 518-648-6497. If you're symptomatic and awaiting test results self-quarantine until your tests come back. That ends covid are there any questions about that? FEMA emergency Halloween storm update, there is some progress moving for the water main crossing. We do have all of our letters from the army core of engineer, from DEC as appropriate I think we're still waiting on one letter for the pump station. There is a question as to any upgrades that are done to readjust the pump station that they're done in accordance to local laws and regulations so they just wanted to double check with add in the engineer about that. FEMA covid pandemic, there's a lot of lot of the administrative work that's going into that reporting and I am very thankful for Tracy and Crystal helping me hammer all that out and all the all the extreme details that we need to provide. So we should be finished with that. Perfect, so we should be finishing that up I think there about 6 or seven parts and I have one or two left to complete. Still waiting we're on week #6 for the invoice from National Grid, really getting old. I've left yet another voicemail and email and I'll be going

up the chain. Verizon small cell tower no change. New business is the fire Department so here we have a Volunteer Fire Department and application for membership this is from a junior firefighter Lily Hughes. She comes from a long line of firefighters her dad and her brother is a junior firefighter as well. So, the fire Department is very pleased with her application and she's already attended two meetings. From a personal standpoint I think this is a really great program for developing skills leadership and community service amongst our youth and from a personal perspective my niece has been a part of this program in Texas for the last five years and it is made a really huge impact on her life or personal development and her maturity so I'm really glad that we can have that up here in the Adirondacks. I would like a motion to approve the application of Lily Hughes as the first female junior firefighter.

TS: So moved.

MB: Rebecca. 2<sup>nd</sup>?

TC: Second.

MB: Mark Crary. Any comments? She's little, 4'10" and 100 lbs.

TS: What is the youngest that they take someone on?

MB: 14.

TS: So she's doing it as soon as she turned 14 it looks like.

MB: Yes, so she is just turned 14. She's very excited, very enthusiastic. As I said they're, very pleased with her as an applicant and she seems very interested in doing it.

TS: Yes, I think she will do a good job.

MB: All in favor say "Aye"

ALL: Aye.

MB: All opposed? Motion carries. Welcome Lily as a junior firefighter. Next up is safeguarding all the waters of the village of speculator in Hamilton County. Mark Donecker will address that.

TD: The purpose of the law is to further promote the health, safety and general welfare of the community by ensuring through appropriate location construction used to properly designed facilities that waste is charge from private wastewater treatment systems do not contaminate any drinking water supply or Lake or other surface water body, is not accessible to insects, rodents and other possible carriers of disease which may come in contact with food or drinking water. It is not a nuisance resulting from the order unsightly appearance otherwise a health hazard being accessible to persons and domestic animals otherwise a danger to Lake ecology by discharging undesirable nutrients that may negatively impact water quality. From my experience coming here since 1977 I've seen some changes in the Lake. One is the amount of sediment that's coming in the second is algae. These algebra blooms happen late summer and that's part of the nutrients possibly coming from septic systems and runoff from people's lawns and the third is pondweed and the pondweed needs nutrients to support themselves so I think this is important I can understand why the sewer system didn't run South Shore Lake. The cost would have been probably increased the cost of the existing system by about 25% so I want to make sure that the septic systems in the area of South Shore Road and other locations near a water body will be protected.

MB: Yes, and I want to commend Mark for his good work in preparing us for the discussion with the town to take these septic laws a little bit further and put some teeth behind them. This Hamilton County law as you saw is Hamilton County local law #1 of 1976. So, there's not a lot of teeth behind it or a plan to roll out and ensure that septic systems are tested and treated

appropriately. After a lot of discussion, it's our thought that our first step between the village and the town is to adopt local law number one of 1976 as Village Law and these sections are pointed out in the declaration of policy where it's tailored to the Village of Speculator within the County of Hamilton and definitions where we are able as a board of trustees to appoint someone or a person or persons within the municipality to deal with these situations. So, someone such as Lenny within soil and water who is certified for testing as well as Bob Benkovich in his in his duties throughout the village. Then to have a legal effect as it's as it stated within the County laws and then of course as I just mentioned the administration or director of water pollution control can be appointed not only by the Board of Supervisors but also a person within the village of speculator because at this point someone within soil and water was named as that person to safeguard as the director of water pollution control but they were unaware of those responsibilities that were had. There's also the prohibition against pollution the inspections are called for but not laid out. Violations again are set forth but has never really been imposed in recent years. I was having a conversation with Shorty who said that at some time during the 80s there was an effort, 80s maybe 90s, and it's really slowed down since then and we want to make sure that new properties coming into Speculator that are changing hands have septic systems that they are checked, and they are in good working order. So, what we had talked about was that the town and the village would go forward to adopt this local county law. We would work together for the rollout of what those inspections what that enforcement would look like around the Lake with Lake pleasant carrying the burden of that since they're not on a wastewater treatment system. It's our intention that this would be done within a timely fashion and if it was not going to be timely, then the Village of Speculator would move forward before the Town of Lake Pleasant, but it's our every hope that Lake Pleasant will be able to adopt the laws and then we in turn would adopt them as a village. I think at this point we are looking to adopt this resolution is to adopt local law number one of 1976 from the County regarding the protection of the waters and then we'll look for a further amendment down the line hopefully within less than six months for the rest of the septic system. I'll look for a motion to accept this resolution.

TC: Aye

MB: Mark Crary, Second?

TS: Second.

MB: Rebecca. Is there any question, discussion regarding this motion?

TD: I just want everyone to know they'll be an addendum to this law down the road which will be more specific about maintenance and testing and inspection of septic systems not on the public wastewater treatment.

MB: It would be rolled out with those who are closest to the Lake with the oldest systems would be addressed 1st and then it would spread outward. If everybody was affected all at once it would be pretty much chaos but it's more organized and rolled out and you're also exploring, I have a call into some grants, potential grants, that in the event that someone would have to replace their septic system because it has failed or it's a cistern at the present time and would have to replace that this would help those who would not be able to afford a new septic system that it would help as far as grants go. So that's something that we're looking into because we don't want to give any undue financial burden especially at this time to our



residents, but we do want to make sure that we maintain our safe drinking water. Any other comments? All in favor of approving this resolution say, "Aye".

All: Aye

MB: Opposed say no. Motion carries. Thank you, Mark. The next thing up is the OSC has announced the tax cap for 2021. The state Comptroller announced that the allowable levy growth factor or tax cap for local governments with fiscal year beginning on June 1, which is the village, will be 1.31%. This is due to the fact that pursuant to the cap tax cap law the allowable levy growth is either 2% or the CPI, and the CPI is less, so they go with the CPI. The new budget cannot be more than 1.3 1% increase. Any comments questions? They will start our budget preparations in January. Rural digital opportunity awards were announced last week in New York State so last week representatives Stefanik announced at the FCC is awarding over \$99 million for rural digital opportunity fund. This affects us because these are New York State broadband projects and one of the areas impacted in the announcement is the Village of Speculator. They've identified over 300 locations through the east and west of the Village that will be targeted for broadband improvement and Frontier is the company that has won the bid in our region. So hopefully that will progress. Glad that we have made the news in that regard. Is there any other new business? Mark? Rebecca? OK round table. Cindy Rumsey and I worked this weekend on the covid plan for the village that has to be filed with the state. I will be meeting with the supervisors and myself to iron out a few of the details. This goes through all the process this goes through all the protocols what happens if someone an employee in the village gets exposed and it has a mandatory quarantine? Do we pay? Do we not pay? If you do, how much do we pay? What happens if schools get shut down or one of their dependents requires their attention then do we pay? Do we not pay? Here is our COVID materials, how much PPE do we have in store, do we have emergency purchasing? blah blah blah It goes through all of those different things. It's my attention to sit with the supervisors and go through some of the things that directly affect them and the employees, tweak whatever needs to be tweaked and send that out to you well in advance so that we can discuss it at our next meeting and hopefully approve that and send that into the state. So that's something you can look forward to. Then the other thing to look forward to is I have asked, it has not been done on a regular basis, but I've asked the planning board chairman, Matt O'Brien, and the new zoning officer, Rick Rumsey, if they would come in at our next board meeting and give a report on what's going on. I know there's a there in the process of a lot of activity and I think would be very helpful for us as a board to keep in touch with that and then to have them come on a quarterly basis and report what's going on. Bob Benkovich will do it from the building code enforcement officer. He will do that in January. That's all I have, and we will try and have those quarterly board reports.

TD: I just hope we pay our employees no matter what the issue is with COVID-19.

MB: Yes. So, the state requires that we pay up to 14 days. You know there was a question at the last board meeting in the Town and I don't think we have anyone in the village who would fall under that scenario. Let's say employee X comes and says hey I've been exposed at a party that I was at, and I have to quarantine for 14 days now do they get paid for that quarantine from their sick time or do they get no sick time taken in the village continues to pay during their quarantine. Or is it does it have to be a mandated by public health quarantine. Is it an exposure that you got at work or didn't get at work? Then you can have employee Y who comes and says

I've been exposed I have to quarantine for 14 days 14 days passes, comes back to work for a week, and says I got exposed again I have to go in quarantine for another 14 days takes 2 weeks of quarantine and then a week back on, then, up wait, I got exposed again. So you can see that there are opportunities to abuse the system and I hope that does not come to be the case, but so there are those sorts of things to think about and consider and then in addition to that how do we look at family leave act and what happens if a loved one is quarantined or the employees required to help out at home because of school Closings and things like that where there is no childcare available because things are shut down. So, there's really a lot to consider how we can work with our employees and work through this pandemic.

TD: So, I'm glad you and Cindy have that.

TD: You'll have it soon enough my friend. I want you to read every letter and proof it better than my draft agenda. Alright, any other topics for the roundtable? I know that the garbage truck broke down today. I forgot to thank Ed and Lenny for pitching in and helping pick up trash today outside of their duties. I do have to note into Roger to see what that situation is and when it will be rectified. I think we're expecting a big storm, but I think they've been saying that for a while. Hearing nothing further, will open up for public comment, hearing no comments, I will ask for a motion to adjourn.

TD: So moved.

MB: Mark Donecker made a motion to adjourn at 7:50 PM alright have a good evening thank you.