

REGULAR MEETING OF THE HANCOCK VILLAGE BOARD,
MONDAY, MARCH 12, 2018 7:00 PM
HANCOCK VILLAGE HALL, 85 EAST FRONT STREET, HANCOCK, NEW YORK

The Regular Meeting was called to order at 7:00 PM by Mayor Eugene D. Morgan.
Roll call was taken by Clerk/Treasurer Falsetta.

Present: Mayor Eugene D. Morgan
Deputy Mayor Dawn Gotthardt
Trustee Charlene Caramore
Trustee Dorothy Picozzi
Trustee Shaun Shannon

Also Present: Phyllis Falsetta, Clerk/Treasurer
Robert McKertich, Attorney for the Village

A MOTION was made by Deputy Mayor Gotthardt, seconded by Trustee Caramore, voted and carried to approve the February 12, 2018 Regular Meeting Minutes. *2018-024
Minutes Approval*

A MOTION was made by Trustee Shannon, seconded by Trustee Picozzi, voted and carried to approve the Abstract of Vouchers in the amount of \$66,931.33. *2018-025
Abstract Approval*

A MOTION was made by Trustee Shannon, seconded by Trustee Caramore, voted and carried to authorize the Mayor to sign the Power Generation annual maintenance agreement for the generators at the fire house. *2018-026
Power Generation Annual
Maintenance Agreement (HFD)*

A MOTION was made by Deputy Mayor Gotthardt, seconded by Trustee Shannon, voted and carried to resolve the following: *2018-027
RESOLUTION 3-2018
Water Project SEQR*

RESOLUTION 3-2018

TO EXAMINE THE ENVIRONMENTAL IMPACTS OF THE ACTION KNOWN AS THE "VILLAGE WATER SYSTEM IMPROVEMENT PROJECT" UNDER 6 NYCRR PART 617 AND DETERMINATION OF NON-SIGNIFICANCE

WHEREAS, Village Board of the Village of Hancock, Delaware County, New York, (hereinafter the "VILLAGE") has received the site plan and preliminary engineering report for a project identified as the "Village of Hancock Water System Improvement Project" (hereinafter referred to as the "Project"); and

WHEREAS, the Project will entail the rehabilitation of the existing water system including, but not limited to, replacement of approximately 10,000 feet of distribution pipe, installation of new water meters at all service connections, the rehabilitation of the welded steel above ground water storage tank and the rehabilitation of existing wells and treatment facilities; and

WHEREAS, the proposed improvements constitute an action subject to review under the State Environmental Quality Review Act (SEQRA) pursuant to the regulations found in 6 NYCRR Part 617 and the Village has determined itself to be the appropriate body to

serve as lead agency for the purposes of conducting a coordinated review, and **WHEREAS**, the Water System Improvement Project was classified as an Unlisted Action and a Full Environmental Assessment Form (Part 1) has been completed, such application is dated February 12, 2018; and

WHEREAS, the Village adopted a Resolution of Intent to act as Lead Agency for the purposes of conducting the environmental review required by 6 NYCRR Part 617 and circulated the Resolution of Intent together with Part 1 of the Long Environmental Assessment Form and other application materials including a project description and a site location map to the identified involved and interested agencies to solicit agreement with the Village's declaration of intent to act as Lead Agency for SEQRA review and to allow for said agencies to voice their support, objections or other comments concerning the Project; and

WHEREAS, the Village has caused to be prepared Parts 2 and 3 of the Long Environmental Assessment Form and has reviewed these documents along with responses from identified involved and interested agencies.

NOW THEREFORE BE IT RESOLVED THAT:

1. Having received no objections from other involved agencies, the Village of Hancock is hereby designated as Lead Agency for the environmental review of the proposed Project.
2. No significant impacts to the environment or the community were identified during the coordinated review.
3. Therefore, the Lead Agency hereby adopts a Negative Declaration for the Project and no further environmental review is required.
4. This resolution shall take effect immediately.

Emily DaSilva, owner of Riverview Apartments was present to discuss the water/sewer billing for multifamily units. The matter was tabled for further discussion by the Board.

A MOTION was made by Trustee Caramore, seconded by Trustee Shannon, voted and carried to resolve the following:

2018-028

Resolution 4-28

Right of Way Agreement

Wormuth

RESOLUTION 4-2018

RIGHT OF WAY/LICENSE AGREEMENT

This Agreement and Grant made this 12th day of March, 2018 by and between the Village of Hancock, with its offices located at 85 East Front Street, Hancock, NY 13783, hereinafter referred to as "Village", and Bernard L. Wormuth and Kara M. Wormuth, residing at 1469 County Highway 67, Hancock, NY 13783, hereinafter referred to as "Wormuth", collectively referred to as "Parties".

WHEREAS, Village is the owner of real property located on the westerly side of Sands Creek Road, Town of Hancock, County of Delaware and the State of New York by deed recorded in the Delaware County Clerk's Office in Book 365 of Deeds at Page 307, Tax Map No. 428.00-1-26, 428.00-1-30 and 428.16-1-2 (Wormuth Premises), and

WHEREAS, Wormuth intends to use Wormuth Premises for hunting, camping and recreations purposes, and

WHEREAS, Wormuth Premises are not contiguous to a public road or street, and therefore, have no access to or from a public road, and

WHEREAS, there exists an old logging road that runs through Village Premises, which said logging road runs from Sands Creek Road to Wormuth Premises, and

WHEREAS, Wormuth has asked the Village for permission to use said old logging road to gain access to and from Wormuth Premises and the Village has agreed to grant said access rights to Wormuth based upon certain terms and conditions.

NOW THEREFORE in consideration of the sum of One Dollar (\$1.00) paid by Wormuth to Village, Wormuth's agreement to maintain the right of way upon consultation with the Village, and other good and valuable consideration, the receipt of which is hereby acknowledged, the Parties agree as follows:

1. The Village does hereby grant and convey to Wormuth, a license/right of way for access only over and along said old logging road, which is approximately twenty (20) feet in width.
2. Said license/right of way granted hereunder shall be for ingress and egress to and from Wormuth Premises from and to Sands Creek Road to be used personally by Wormuth, their family, guests and invites.
3. Wormuth agrees and represents that they intend to use the Wormuth Premises for hunting, camping and recreational purposes and not for development.
4. Wormuth shall not in any way obstruct said right of way or erect or permit to be erected any buildings, structures or utilities of any nature within the right of way herein granted, nor shall their use in any way interfere with the Village's continued right to use said right of way.
5. Wormuth accepts this license/right of way and will maintain the same at their sole cost and expense, and further agree to indemnify and hold the Village harmless from/for any injuries to persons or property while such persons are using said right of way.
6. Any and all rights granted hereunder shall be personal to Wormuth and their children for so long as Wormuth Premises are owned by Wormuth and/or the children of Wormuth, and shall not otherwise run with the land.

A letter was received from Yvonne Dolph of 186 Yendes Street requesting that her March 1, 2018 water/sewer be adjusted due to a water line break in her basement that occurred at the end of December.

A MOTION was made by Trustee Shannon, seconded by Deputy Mayor Gotthardt, voted and carried to adjust the sewer portion to average gallons used on Yvonne Dolph's March 1, 2018 water/sewer bill

2018-029

Y Dolph Sewer Adjustment

James Serio was present and requested electronic copies of the last three quarters of water/sewer billing data. Mr. Serio also requested that the Village consider placing concrete bumpers/barriers in the municipal lot in the spring to protect the garden he has planted on the side of his building. The matter was tabled for further Board discussion.

A MOTION was made by Deputy Mayor Gotthardt, seconded by Trustee Shannon, voted and carried at 8:15 PM to enter into executive session to discuss:

2018-030

Executive Session

- Matters which, if disclosed, will imperil the public safety
- Matters which may disclose the identity of a law enforcement agent or informer
- Information regarding current or future investigations or prosecutions of a criminal offense which would imperil effective law enforcement if disclosed
- Discussion proposed, pending or current litigation
- Collective negotiations pursuant to the Taylor Law
- The medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation
- The preparation, grading, or administration of examinations
- The proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by the public body, but only when publicity would substantially affect the value thereof

The Regular Meeting was reconvened at 8:38 PM with no action taken.

A MOTION was made by Trustee Shannon, seconded by Trustee Caramore, voted and carried to approve HFD membership of C. Geer, pending the results of the background investigation.

2018-031

C Geer HFD Membership

The Meeting was adjourned at 8:49 P.M.

Respectfully Submitted by:

Phyllis Falsetta, Clerk/Treasurer