

The regular meeting of the Village of Margaretville Board of Trustees was called to order by Mayor Hubbell at 5:03 pm on April 20, 2021 in the Village Offices, 773 Main Street, Margaretville, New York. The following members were in attendance:

John Hubbell	Mayor
Dave Budin	Trustee
Iris Mead	Trustee
Sarah Scully	Trustee (arrived 5:06)
Jeffrey Warren	Trustee

Also in attendance were Mike Martin, Peg Ellsworth, Burr Hubbell, Rudd Hubbell, Glen Faulkner, Morgan Spaulding, Mike Cioffi, Phil Farinacci and Jessica Olenych.

All unanimous votes are unanimous without the Mayor voting unless otherwise noted

Those in attendance stood for the Pledge of Allegiance.

MINUTES

A motion was made by Trustee Warren and seconded by Trustee Budin to accept the minutes of the March 23, 2021 meeting and April 6, 2021 public hearing as presented. The motion passed unanimously.

MAIN STREET BUSINESSES- GATEWAY IMPLEMENTATION PROJECT.

Peg Ellsworth was in attendance to report that some of the funding that was secured for technical assistance for NY Main Street was able to be used for business relief in response to COVID-19, so she is seeking O'Connor funds to replace some of that funding and will be focusing on Main Street from the old CWC building to the corner of Bridge Street.

She also reported that the Amphitheater project is back on track, and she has found someone to do the landscape design pro bono. She expressed her hope that whatever project is going on in the binnekill will be in concert with the amphitheater project.

Rudd Hubbell was in attendance and gave his thoughts in regard to the Gateway Implementation project:

- It is not a well thought out plan for the village.
- The benefit it provides for is just 1/2 inch of change in elevation for a flood.
- The detriments to the aesthetics of the village as we know it will be changed forever.
- Water level will be 3 feet lower than it is currently.
- There won't be really any flat water anymore, just a few pools.
- The project ends (by the walkbridge) but it is going to drain the binnekill all the way through the village.
- No real work is being done on the upper end, just cleanout, so over time things will grow up and become a maintenance issue.

- As learned during the flood, the Main Street buildings are built on a mud sill and as long as they stay wet you have a great foundation. Not aware of any part of the study that addressed the lowering of the water table and the effects it could have on those foundations.
- Given the benefit of lowering the water by ½ inch vs how it would affect Main Street and aesthetics of the village, feels it is a poorly conceived plan by the engineers and wasn't thought through.

Mike Cioffi: Important for us (business owners) is to keep flood mitigation down, as we are all at risk. The beautification of that stream is just as important. We are trying to bring people in and the aesthetics is a big part of that.

Jess Olenych: Tired of repeatedly hearing “Why is there no water in the binnekill?”

Rudd Hubbell: There are components showing a three-foot high wall, which in a high flood will be a point of scour creating more maintenance that is needed now.

Jess Olenych: Concerned about losing parking at one end of parking lot; 8 or 9 spots and parking is already an issue.

Phil Farinacci: Stated that he was very concerned about his foundations if the watercourse dries out. As a community we should be doing something to stop project.

Rudd Hubbell: Stated that even with doing all this work we don't know if we are going to get a constant flow of water through the village and if we do, it will be a smaller amount. What has kept it full is the dam at the end.

Glen Faulkner: Spoke of when the committee went through all the steps to meet the requirements for the Community Rising program and when they got to the end, they had a plan and concept as to what the area could be hopefully with a flood mitigation component. What we have now is the difference of ½ inch of water, which is basically insignificant. The rendering shows a big ditch vs a nice stream. The area could be inviting. This project seems like a lot of money for little value and even maybe a step back aesthetically. He feels there is a need for another conversation with consultants.

Peg Ellsworth: Feels this project will have a negative impact on the village. Pointed out that there is an economic development component to the CDBG funding and that working on the amphitheater and Main Street projects may enhance a conversation (with GOSR). The worst-case scenario is that funding may be lost, but why spend money on what's not good for the community?

Trustee Budin: stated that the village's hands are tied by federal and state governments as to how much water flows through that stream. Funding is only available to replace the bulkhead as it is; to maintain the historical flow through it. To maintain the level here is not to remove the dam.

Mayor Hubbell: Pointed out that part of the gateway project is removal of the dam.

Trustee Budin: Asked Rudd Hubbell for any suggestions.

Rudd Hubbell: Stated he didn't really have any suggestions but stated that the lower part of the Binnekill has never been a part of why we get flooding, and the studies show that it only makes a ½ inch difference. He thought that it should be left as it is and pass on this project. Hard to turn away money, but no guarantee that it would help to spend the money.

Was asked about mud sill foundations drying out and becoming an issue. Stated that flow been so intermittent here for years, if you stand and look up Main Street you can see that every building from the stop light up has a lean to it. This section has stayed wet enough that it's all good through here.

Mayor Hubbell: Stated that one of the reasons it has dried up so is that the village hasn't been able to maintain the upper end by cleaning out but is addressing that issue with the Bulkhead project.

Rudd Hubbell: Agreed that with addressing that issue we should see a more constant flow of water through the Binnekill, but at same time we are getting our water back, we are dropping (the level of) the whole thing.

Mayor Hubbell: When asked if the engineers took the drying out of the mud sills into account, he stated that the engineer's response to that was that it won't matter, it will stay okay.

Trustee Budin: Stated that if the Binnekill goes back to its historical flow, with the help of the rock veins being installed above, he was optimistic of getting a good flow of water through and that the water level would be maintained. It was there before the dam was built. He felt that we should go ahead with both projects. If there are other problems, he felt they could be easily mitigated at a later time, such as getting a permit to replace the dam if needed.

Rudd Hubbell: Stated that once you spend these funds, then go back and say you don't like the way it turned out, you are going to have to have engineering to put the dam back in. There was also doubt about the approval to change it, and once money is spent on this, securing more funding could be an issue.

Trustee Budin: Asked Rudd Hubbell What is the worst we are talking about?

Rudd Hubbell: Responded that instead of having an expanse of water (pool) running back from the dam to the archery store, it will be running water from what is coming through the bulkhead; any pooling will end at the Binnekill Tavern. Running water thru bulkhead will flush out the Binnekill a few times of year during high water events, banks could become overgrown at other times, causing increased maintenance. Plans call for rip rap and natural flood plain plantings below the Binnekill Tavern. There is no scope of work to go above. At edge of parking area on the end there will be a wall with step downs, when water flows over that, it will create a hydraulics, which isn't addressed well in the plans, so after the next flood, money could be spent on repairs to that wall. What we have right now is stable and holds up to flooding.

Burr Hubbell: Pointed out that something to consider is if you go through with the project and then go back and try to put a dam in later, you are going to be in the position of arguing to raise the flood level along Main Street by ½ inch.

Mike Cioffi: Stated that from the aesthetic point of view, the amount of money being put in is not the bang for the buck. There is such a major feature there, that if it is going to be altered in any way, it should be altered for the better.

Trustee Mead: Asked if cleaning out of the upper part of Binnekill is addressed in this project.

Mayor Hubbell: Stated that it only goes as far as Cemetery Road. There are plans for another project to address cleaning out from there on up to the Bulkhead.

Mike Cioffi: Asked if there was a “go back to drawing board” option. He was told that this funding runs out this year. It would take too long to start over because we need to be in water this season which is June 15 to September 30.

Burr Hubbell: Offered that going back to what Peg Ellsworth said, if you say no to this project, they may be open to an alternative project to be able to use money for something else; cleaning the entire Binnekill would possibly be a good use of funds.

Rudd Hubbell: Stated that if you want to drop ½ inch off Main Street, remove the berm between Summerfield’s restaurant to the Bull Run stream. Engineering and permits could not be secured this season, but could possibly move the funds to a different program and get things in place for next season.

Trustee Budin: Agreed that maybe it would be possible to concentrate on cleaning out the stream further up to help maintain flow if everyone is happy with maintaining the aesthetics down here.

Mayor Hubbell: Asked if the board had any other questions. There were none. He then explained that a decision had to be made about moving forward with this project, as GOSR would soon be asking for the project to go out to bid. He also told the board that the project, as currently designed, is the only version that the engineers could produce to incorporate flood mitigation into the design in order to be funded by the New York Rising program.

Trustee Mead: Is against the project.

Trustee Warren: Is not for the project.

Trustee Scully: Does not think we should go ahead with the project.

Trustee Budin: Stated that it was his understanding is that the business owners in the room are against this project and asked them if that was correct. The business owners answered yes. He told them that the board was here for the good of the businesses and wants them to be happy with the decision made.

After discussion, a motion was made by Trustee Mead and seconded by Trustee Warren to give the Mayor the authority to discuss the Margaretville Gateway Implementation project with GOSR to negotiate new terms/scope of work or cancel the project. The motion passed unanimously.

PUBLIC COMMENT

Mayor Hubbell asked the public still in attendance for any comments. There was none.

OLD BUSINESS

NY RISING UPDATES

Mayor Hubbell reported the following on the New York Rising projects:

MFD and DPW Facility Improvements:

Nothing has changed with the status on this project.

Binnekil Bulkhead, Levee Repair and Improvement:

The bid for this project was awarded to Hubbell, Inc.

On a motion by Trustee Budin and seconded by Trustee Mead the following resolution was offered:

VILLAGE OF MARGARETVILLE, NEW YORK

RESOLUTION No.04202101

A RESOLUTION APPROVING BID SELECTION AND CONTRACT AGREEMENT BETWEEN THE VILLAGE OF MARGARETVILLE AND HUBBELL, INC., RELATIVE TO THE VILLAGE OF MARGARETVILLE’S NEW YORK RISING COMMUNITY RECONSTRUCTION PROGRAM, COMMUNITY DEVELOPMENT BLOCK GRANT–DISASTER RECOVERY *BINNEKILL BULKHEAD, LEVEE REPAIR AND IMPROVEMENTS PROJECT.*

WHEREAS, the Village of Margaretville released design plans and specifications for the abovementioned project and requested the submittal of sealed bids for general contracting services from interested contractors; and,

WHEREAS, sealed bids were requested to be delivered by interested respondents no later than 2:00 PM, April 16, 2021, to be opened and publicly read at the Village Hall, located at 773 Main Street, Margaretville, NY; and,

WHEREAS, the Village of Margaretville closed bidding at 2:00 PM, April 16, 2021, whereupon bids received were publicly opened and read; and,

WHEREAS, one (1) bid was received, opened and read, with a cost of \$429,708.00; and,

WHEREAS, Hubbell, Inc., Inc. submitted the lowest, responsible bid for contracting services for the abovementioned project, with a bid amount in the amount of \$429,708.00 submitted; and

WHEREAS, the bid submitted by Hubbell, Inc. has been reviewed by the abovementioned project’s engineer of record and was found to be responsive to the scope called for in the released plans and specifications.

NOW THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Margaretville, acting as governing authority of said Village that, contingent on New York Governor’s Office of Storm Recovery approval, selects and awards Hubbell, Inc. as the contractor responsible for improvements relative to the above-named project, with a contract value of \$429,708.00.

This resolution was submitted to a vote and the vote was thereon as follows:

YEAS: 4 NAYS: 0 ABSENT: 0

This resolution was hereby adopted on this 20th day of April, 2021.

Gateway Study Implementation Plan:

The status of this project is detailed earlier in this document.

Scott Brook:

The bid for this project was awarded to Hubbell, Inc.

A motion was made by Trustee Scully and seconded by Trustee Budin to approve payment in the amount of \$4,027.28 to Keystone Associates Architects, Engineers and Surveyors, LLC for invoice #2540.07316-05 dated March 24, 2021 for survey and engineering services on the Scotts Brook Culvert Replacement project. The motion passed unanimously.

Bull Run Channel Streambank Restoration, Retaining Wall Repair & Bridge Replacement Project approval was received by GOSR for this project and is expected to go out to bid soon.

PHASE 4 UPDATES

Things are about what they were for this area. Things are opening up a little and we are waiting on more info on outdoor activities.

APPLICATION FOR PAVILION USE

A motion was made by Trustee Warren and seconded by Trustee Scully to approve the application submitted by the Catskill Recreation Center, Inc. for Tai-Chi classes to be held on Thursdays from April 22 thru September 30, 2021 during the hours of 10:30-12:15 as long as any Covid-19 restrictions in place at the time of the event including occupancy limits are adhered to. The motion passed unanimously.

A motion was made by Trustee Mead and seconded by Trustee Budin to approve the application submitted by Catskill Mountain Youth Soccer for soccer practice to be held on Mondays and Thursdays from April 22 thru May 31, 2021 between the hours of 5:30 and 6:30 pm, as long as any Covid-19 restrictions in place at the time of the events including occupancy limits are adhered to. The motion passed unanimously.

SUMMER HELP

A motion was made by Trustee Mead and seconded by Trustee Warren to approve the hiring of at least two individuals to work for summer season. The salary for one youth will be reimbursed under the Delaware County Youth Bureau program.

HEALTH INSURANCE ELIGIBILITY POLICY

A motion was made by Trustee Scully and seconded by Trustee Mead to offer the following resolution. The motion passed unanimously.

VILLAGE OF MARGARETVILLE RESOLUTION NO. 04202102

AMENDMENT TO HEALTH INSURANCE ELIGIBILITY POLICY

Whereas, the Village of Margaretville maintains a health insurance policy for eligible employees; and

Whereas, the Village of Margaretville wishes to amend the eligibility qualifications for that health insurance policy to include retirees meeting certain criteria; so

Therefore be it resolved, that the Village of Margaretville will continue to provide health insurance in the retiree class at no cost to the Village for employees that are retired through the New York State Retirement System and remain Village of Margaretville employees working less than 35 hours per week; and

Therefore be it also resolved, that this resolution will take effect June 1, 2021 and remain in effect until rescinded.

VILLAGE OF MARGARETVILLE 2021-2022 BUDGET

A motion was made by Trustee Budin and seconded by Trustee Scully to adopt the Village of Margaretville 2020-2021 Tentative Budget as presented as the Village of Margaretville 2020-2021 Final Budget showing a 2.78% increase.

The vote was as follows: Dave Budin-Aye; Iris Mead-Aye; Sarah Scully-Aye; Jeffrey Warren-Aye. The motion passed unanimously.

LIQUOR LICENSE RENEWAL NOTIFICATION

A motion was made by Trustee Warren and seconded by Trustee Scully to offer no objection to the renewal of a beer and wine permit from June 1, 2021 to May 31, 2023 for Zappi's Inc. located at 86 Bridge Street as per letter notice dated March 30, 2021. The motion passed unanimously.

OTHER

GOTTFRIED BUILDING OFFICE SPACE

A motion was made by Trustee Budin and seconded by Trustee Scully that the Village would retain the office space recently vacated by the attorney to use for the expansion of Village offices. The motion passed unanimously.

EXECUTIVE SESSION

A motion was made by Trustee Budin and seconded by Trustee Scully to enter Executive Session at 6:17 pm to discuss employment history of an employee.

Executive Session ended at 6:28 pm.

There was no action taken as a result of Executive Session.

PAY BILLS

Voucher #'s 267-296 in the amount of \$21,855.78 were audited and approved for payment.

ADJOURN MEETING

A motion was made by Trustee Budin and seconded by Trustee Warren to adjourn the meeting at 6:47 pm. The motion passed unanimously.

Karen McMurray
Village Clerk