

A Public Hearing was held on Monday, June 2, 2008 at 6:30 pm in the Tannersville Village Hall.

Present: Lee McGunigle, Mayor  
Linda Kline, Trustee  
Greg Landers, Trustee  
Tony Lucido, Trustee  
Mary Sue Timpson, Trustee (absent)  
Mark Hyer, Planning Administrator  
Catherine Palmieri, Deputy Clerk

Also present: Donna Bernard, Jeff Prince, Sarah Schneider, Phil Theo, Joseph Vanucchi, Lars White

The Mayor opened the meeting with the Pledge of Allegiance.

The Mayor stated that as four board members are present, he would like to review the **Budget Modifications for the 07-08 Fiscal Year** which they have in front of them. He reviewed the procedure as follows: when a department is making a purchase order, they need to bring it to the Clerk and see if the funds are available in that appropriation. If the funds are not available, it does not mean that the purchase cannot happen but it does mean that a budget modification has to be done. The Mayor said he would have wanted this procedure strictly followed last fiscal year but with the audit and other things going on, it was not always possible. For this fiscal year, the Clerk has assured him that the procedure will be followed. If the money is not there in a particular appropriation, then it has to be brought up at the next meeting and the Board has to vote on whether to increase that expenditure and take the money from somewhere else in the budget, or use revenue that may have come in unexpectedly. Trustee Landers asked if Board Members can be notified if money is exhausted in a particular appropriation so that they will know it has to be brought up at the next meeting. The Mayor replied "exactly" and added that the biggest concern last fiscal year was in 'contractual' due to the runaway cost of oil.

Copies of the Budget Modifications were distributed to the Board Members present and the Mayor made a motion to approve the modifications stated therein. Trustee Kline seconded the motion. All in favor, motion carried 4-0.

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The Mayor closed the Planning Meeting and opened the **Public Hearing for Proposed Local Law #2 of 2008 - 'Subdivision Law.'** Trustee Landers seconded the motion. As no one came forward to speak on the Law, Trustee Landers made a motion to close the Public Hearing for the Subdivision Law. Trustee Kline seconded the motion. All in favor, motion carried. Meeting adjourned until 7:00 pm.

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When the Planning Meeting resumed at 7:00 pm, the Mayor made a motion to approve the **Minutes of the May Planning Meeting.** Trustee Kline seconded the motion. All in favor, motion carried.

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**Presentation of Proposed Security System for Park by Lars White of Scott Alarms:**

Mr. White introduced himself and went over the 'Equipment Details' in his proposal. He said Scott Alarms considers this their 'basic system' and it consists of the monitor, the DVR (the brains of the system), two cameras, etc. The DVR is designed to function with up to eight cameras but for the initial hook up two cameras are suggested. The cameras are infrared and adjustable for the width or range of the view. Mr. White said he and Mr. Hyer walked the area and the thought is that the cameras will be situated in the area of the Boathouse. They will be located on each side of the Boathouse and will focus on the windows and doors. The cameras should provide a good picture day or night. Trustee Landers asked 'from how far away?' Mr. White: 'about 40-50 feet. Landers: 'Is it possible to get a clear resolution picture of something 100 ft away?' Mr. White replied 'you can, but this system is not set up for that. It is set up to watch the Boathouse. There are more sophisticated cameras but the ones in the proposal are designed for economy.' Mr. White went on to say that the thing about cameras is that they are a quite a deterrent in themselves and have the effect of putting people on good behavior. Our proposal is a basic 'get started' type of thing. Cameras can be added as you see fit. The Mayor asked where the DVR would be set up. Mr. White replied that the Boathouse might be the most logical place. The DVR can be viewed remotely on any high speed internet access.

In response to questions from Mr. Hyer, Mr. White replied that the system will operate in pitch black darkness, is motion sensitive and will only record when there is motion. Mr. Hyer said when they were in the area they also discussed mounting the camera on a pole which could also cover activity at the playground and the skate park. Mr. White said the camera operates differently from the human eye in that you can choose to get a wide angle shot which does not give a lot of detail or a tight shot which will not give a lot of peripheral area. You would need to get multiple cameras to get a wide angle and a tight shot or step up to something a little more advanced. Mr. Jeff Prince said as the entrance to their proposed Subdivision is located close to the Skateboard Park, they would like to donate a camera for that area.

Trustee Landers asked whether the camera can be set to record from midnight to eight in the morning as camp is going to be going on all day. Mr. White said you can do that if you wish but he felt it would be better to just let it run. The Mayor added it's possible that the camp counselors may feel more secure knowing activity was being recorded. Mr. White said the system has a CDRW on which you can burn images onto a CD so an incident can be recorded and turned over to law enforcement.

Trustee Kline asked what would be estimated as the cost of trenching and providing conduit (which would be the Village's responsibility). Mr. White said that would depend on how much cable length is needed. Trustee Landers asked how soon after a decision (and completion of trenching) could work begin. Mr. White answered about a week and a half. The Mayor thanked Mr. White for coming and said they would be in touch. After Mr. White left, there was discussion about camera placement. Trustee Lucido said he would like to see a camera located where it would cover the pavilion area. The Mayor agreed and said a camera could be more centrally located with the pavilion as the center and shoot out in 2 directions from the pavilion. It will give the appearance of covering

the whole location. Another thought was that a camera should go on the pole by the basketball court which could cover the playground and the skateboard park.

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**Tannersville Emergency Plan – Donna Bernard:** Ms. Bernard said she had two purposes in coming here this evening: one is to meet the Board Members and the **second** is to offer the opportunity to ask questions of her as we are quite advanced in the process of writing the Plan. She presented the Table of Contents with the thought that looking at it might prompt questions for her. Ms. Bernard said she has already edited the Introduction Section based on comments she received.

Ms. Bernard said she suggested to the Clerk that the Fire Chief take a look at least the Fire and Rescue section as a courtesy.

Background: on February 12, 2008 the Town of Hunter Supervisor convened an Emergency Responder Workshop to discuss the development of the Town's NIMS-compliant Emergency Response Plan with the Town's critical emergency partners. Based on that meeting, the decision was made to go with the following hazards in the following order for mitigation in both the Town of Hunter and the Village of Tannersville's Emergency Response Plan's Appendix:

1. Fire
2. Flood
3. Power Outage
4. Hazmat Spill
5. Accident, MCI, Search and Rescue

Based on that meeting, Ms. Bernard was asked by the Town of Hunter to draft a Plan based on those hazards. The Town of Hunter reviewed the Plan and it was approved. Ms. Bernard said she basically did the same thing for the Village of Tannersville. What she is suggesting is that the Board Members take a look at the Plan. She said you can edit, remove sentences, add to it. It's your plan. It has to be in this format as it is an Emergency Response Plan in the National Incident Management System (NIMS). If it is not in the NIMS System and you ask for reimbursement for a future problem, you may not be able to be reimbursed. This is your plan for the big things that happen. The County has a larger plan which will address anything that can possibly happen. Most of the time you will defer to the County for large scale events. Ms. Bernard said she cannot finalize the plan until she feels comfortable that the whole Board has looked it over and signed off on it.

Mr. Hyer asked where the Village of Tannersville information came from. Ms. Bernard replied that she obtained it from the County and Town websites. Mr. Hyer continued that the reason he asked is that on page 55 of the 'Village of Tannersville Emergency Response Plan' under DAM FAILURE, it says "The Village of Tannersville has **minimal** concern over dam breakages..." He questioned whether that was an accurate statement as the Mayor has previously expressed to him several concerns about the dam issue. Ms. Bernard said that is exactly the kind of thing she is looking for and it can be changed. The Board just needs to provide her with the revised wording.

The Mayor added that he wants to provide clarification to the Board concerning the Hazard Mitigation Plan being done by the County. Every time there is a FEMA or SEMO declaration, 15% of the monies with which they respond gets put into a different pool for mitigation. We lost a dam during the '95 storm. Theoretically, for that year they put a million dollars into Greene County, so there would be a \$150,000 pool of monies for the future. FEMA puts it back to the way it was before the incident. If we could do 15% more maybe we could make the dam even better so that when the five year storm comes again, it will withstand it rather than break. So that is why all these plans have to be filed with the Federal Government so that they know. Once this work and these studies have been completed, then the funding is available. As our reservoirs and dams are our biggest concerns and they have been threatened and have broken, he was hoping to find another revenue source other than dam safety, other than these other grants or out of our pockets. So that 15% for a dam that has already broken is really important. The one area is mitigation: finding where our problems are, studying them, recognizing that they have been damaged in the past. And this is responding to it once it happens. They are very close but they are separate: one is pre-disaster planning and the other is responding once it hits.

Ms. Bernard submitted one more sheet regarding 'credentialing respondents.' A system for tagging firefighters whereby they leave their ID's on site is being looked into. She feels that the Village of Tannersville will be considered in compliance with this plan in place. There just needs to be agreement that the appropriate personnel will take whatever courses are determined in the future to be necessary.

Ms. Bernard said feel free to call her with any questions or give any written comments to the Clerk and she will retrieve them. The Mayor said he thought two weeks should be enough time for the Board to look over the material and make their suggestions, if any. The matter will be revisited at the next regular Board Meeting on June 17<sup>th</sup>.

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**National Skate Board Day (Saturday, June 21<sup>st</sup>) – Phil Theo:** Phil came forward and said he would like to get approval for a party with live music at the Skate Board Park on June 21<sup>st</sup>. He said he and Trustee Kline have been working on the event. He would be able to arrange for a band and suggested a barbeque for an hour or two and then a skate board competition. He is arranging with Shane Valcich for T-shirts. Phil asked for help from the Village with food, beverages and the use of a grill. After discussion it was agreed to order 100 hamburgers and 100 franks and soda. The Mayor made a motion to approve the event and budget the sum of \$250 for expenses. If any money is left over, it can be put aside for future events. Trustee Kline seconded the motion. All in favor, motion carried. The Mayor made a motion that Trustee Kline be appointed liaison to help with coordination of the event and to try to come up with hours of use that may be appropriate and a list of monitors who want to volunteer for the Park. Trustee Landers seconded the motion. All in favor, motion carried. The Mayor asked if Trustee Kline would arrange for the recommendations to be typed up in time for discussion at the regular Board Meeting on the 17<sup>th</sup>. Trustee Kline agreed to do so. The Mayor said we

should talk with some of the constituents and see what issues they have. Also needing discussion is the procedure to be followed in the event someone is injured. The Mayor made a motion that Phil Theo be appointed "Skate Park Marshall" and given the authority to monitor and help promote the safe use of the Park. Trustee Lucido seconded the motion. All in favor, motion carried. The Mayor said Phil can tell anyone who questions his authority to feel free to call the Village office for confirmation. Trustee Landers asked if Phil might like the plaque put up on that day. Phil said that would be great. Trustee Landers also told Phil that they will arrange for the words "No Bikes" to be painted out of the sign. The Mayor said let's get past this event and then maybe we can get a steering committee together and a list of volunteers.

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**Larry Vanucchi for Steve Vanucchi: Lot Line Adjustment on Pleasant View Drive:**

Joseph Vanucchi came forward and said he thought what they were asking for was more along the lines of a Subdivision. Mr. Hyer asked if he could clarify the issue as follows: the tax map shows a dotted line which means that it is a Subdivision lot filed in Greene County but taxes are only being paid on one lot because they filed one deed with three lots. He said this is commonly done to avoid paying taxes on, in this case, three lots. Mr. Hyer said he can verify this immediately by going into the office and checking the tax map and he left to do so. Mr. Hyer returned and said as far as the County is concerned the lots exist as subdivided lots; however, they are on one deed. Mr. Hyer pointed out that approving the lot line adjustment can be seen as an improvement as it allows the applicant room for maintenance. If it is left the way it is, the garage is on the property line. After discussion, the Mayor made a motion that this is an unlisted action under SEQR and a motion for a Negative Declaration. Trustee Landers seconded the motions. All in favor, motions carried. Trustee Landers made a motion to approve the Lot Line Adjustment and Trustee Lucido seconded the motion. All in favor, motion carried 4-0. The Mayor wanted to clarify for the record that the Lot Line Adjustment actually improves the existing situation and creates room for maintenance.

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**Larry Vanucchi for Lee Prince – Lot Line Adjustment on Park Lane:** Mr. Joseph Vanucchi pointed out on the map that Mr. Lee Prince is looking to move the lot line to subdivide the house out, sell it and retain the rest. This will create a smaller lot than what might be desirable, but it is pre-existing and non-conforming. The drive way is a non-issue. After discussion, Mr. Hyer summed it up by saying that the adjustment as presented will have the same basic configuration with a 3 foot swing. The Mayor made a motion that this is an unlisted action under SEQR and a motion for a Negative Declaration. Trustee Kline seconded the motions. All in favor, motions carried 4-0. The Mayor made a motion that the Lot Line Adjustment be approved with the understanding that it will not create an encroachment on the existing setback requirements of the law. Trustee Landers seconded the motion. All in favor, motion carried.

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**Simon and Schneider Site Plan Review:** Sara Schneider presented the map for the proposed two-story law office building. She stated that they are planning for 2600 feet of office space and that they plan to put in 12 parking spaces. She displayed a sketch of the proposed downlight sign. Mr. Hyer asked about the water plans. Mrs. Schneider replied that there is a hook-up on Renwick and they are hoping that will work out for them. Plans are for the entrance to be on Renwick at the present time.

Mr. Hyer made a disclosure that Sara Schneider is married to his nephew, Dr. Robert Schneider. He does not feel that this fact will affect his judgment on the project.

After discussion, the Mayor made a motion that this is an unlisted action under SEQR as well as a motion for a Negative Declaration. Trustee Kline seconded the motions. All in favor, motions carried. The Mayor made a motion to approve the Site Plan as presented. Trustee Landers seconded. All in favor, motion carried.

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**Vote on Proposed Local Law # 2 of 2008: Subdivision Law:** The Mayor made a motion to adopt Proposed Local Law # 2 of 2008: Subdivision Law. Trustee Lucido seconded the motion. All in favor, so carried 4-0.

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**Set Time for Dedication of Playground to Bobby Van Valkenburgh on Sunday, June 8:**

All agreed on 3:00 p.m. Also agreed upon was that Skateboard Park would be dedicated on Saturday, June 21.

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**Review Website Proposals:** Sean Mahoney approached the Board and stated he was asked by the Village to submit a proposal to do the Website. He said that he recently completed the website for the Town of Hunter and has been doing this kind of work for ten years. He estimates that he has done over 100 websites in this time for various national, local and regional sites. Mr. Mahoney feels that the Village's website has numerous problems of which everyone is aware. Part of his job is to assess what the problems are and, at this point, he recommends that it would not be in the Village's best interest to attempt a band-aid type fix, but rather to reorganize the data and content and bring a new look and feel to provide the website as a tool to its users. He stated that although there are a lot of documents available, they are very difficult to find, read and use. He would restructure and reorganize the documents. Other obvious problems: the home page of the website is essentially nonsearchable. The links provided open up new windows and browsers treat these as pop-ups. Most people have pop-up blockers and when they don't see anything happening, they are gone. Mr. Mahoney elaborated a little more and referred the Board to his proposal, of which they all have a copy.

The Mayor thanked him for coming and said they hoped to discuss the matter at the next scheduled Board Meeting.

(Bids have also been received from Kathode Ray and Shane Valcich.)

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**Privilege of the Floor: CC Lots:** Jeff Prince wanted to say that he expects the Stormwater Report to be submitted to the Village by the end of this week or the beginning of next week. He attributed the delay in submitting it to the fact that Mr. Bates is currently reviewing it with DEP and the other consultants and it has grown to be quite a large document. Mr. Prince is asking that it be circulated upon receipt to DEP, DOH and DEC so that the clock will begin ticking again. Mr. Hyer responded that once we get it, then out it goes but bear in mind that the Village does not mail it out, you mail it out. Mr. Hyer also pointed out that the agencies have a 30-day response period. Mr. Prince stated that these reviews take a tremendous amount of time. He said the Village already has a stack of information that has been submitted. Mr. Prince asked that the Board look it over, go through the long EAF and maps so that things don't have to start from square one again. Maybe at the July meeting the Board's concerns can be addressed. Mr. Prince said perhaps it doesn't necessarily have to have a Positive Dec because DEP says it does. He said he called DEP 15 times without a call back.

The Mayor asked how long Mr. Prince thinks it will take to build the bridge crossing on the property. Mr. Prince replied that he has already obtained bids and it will not take that long. Mayor: "...a stream crossing, permitting, the bridge..." Mr. Prince: "He has it in the process already with DEC." Mayor: "How high is the bridge...it just looks so steep." Mr. Prince: "It's really not going to be steep. I've had several contractors out there and we are looking at how to come across there. We are probably going to refine it from what Mr. Bates was looking to do and will come straight across as opposed to angles. There has to be big enough box culverts to handle the water flow that will come through there."

Mr. Hyer: "Jeff, I want to mention a couple of things. First of all, the original plan that the Board looked at was not a box culvert bridge. It was an arch bridge. There is a major difference. And secondly, before you start construction, so that we don't get into a violation mode, you have to have approval from the Board before you put any access roads into a subdivision."

Mr. Prince: "Actually, according to DEC we are allowed to put a construction road in there." Mr. Hyer: "So what you are saying to the Board is that you have the right now to build that access?" Mr. Prince: "Right, once we have the permit for the stream crossing so we can get onto the property." Mr. Hyer: "Once you file a Subdivision on a piece of property you cannot do anything until you have approval from the Village Board." Mr. Prince: "So how do we get across to the property?"

Mr. Hyer: "If you don't do a subdivision, then you are not under subdivision law. You are under a single residential lot law. But you have an application in for a subdivision. The way the Subdivision Law is written is that before you can start building any access road you have to have approval from the Board. If you go in there and start bulldozing and putting a bridge in, if someone calls you on it, they are going to get a 'stop work order' and stop you in the middle. Then you will have a real mess." Mayor: "Why does there seem to be an avoidance of using the existing access road for doing work?"

Mr. Prince: “There is no existing access road. The road that comes in at the top of Clum Hill Road stops at Mokarry’s property. There is no other road to go down in there.”

Trustee Landers: “We let you go down the Bike Path and come up.” Mr. Prince: “If you let us do that, we don’t have to build the bridge. And I’m not talking about a lot of times to go in there but we have to drill another well. We probably will design that entranceway to be more practical. We will go through the public hearings, the SEQR process and we’ll do everything that we have to. We are very committed to the project and have spent a lot of money to get to this point.”

Mr. Hyer read from page 1 of the Subdivision Law: “Construction, excavations, filling, grading, clearing of vegetation or other similar activities shall not begin within any area proposed or intended for subdivision until said subdivision plat shall have been approved, or conditionally approved by the Village Board.”

Then we go over to page 18 under WAIVERS... “Where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of these regulations, the Village Board, in the process of acting upon a proposed subdivision application, shall have the power to grant waivers relating to the requirements herein.”

Mr. Hyer: “So that’s the legal and proper procedure...that you would want to come in with a properly drawn access, committing yourself to the grade, etc., and ask for a waiver from this Board based upon the fact that it is a hardship—you have to drill a well, etc. That’s the proper way to handle it.”

Mr. Prince: “OK, then we’ll handle it that way.”

Trustee Landers: “We’ll have no problem with you coming in on the Bike Path as long as if you damage something, you’ll fix it.” Mr. Prince: “Yes. That’s our preference, to come in that way.”

In the interest of time, it was agreed to end the discussion at this point.

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The Board began a discussion of how much money is left in the park grant. Trustee Kline asked how much money is left in the Signage account. She thought the figure might be about \$5000. The Mayor asked that the Clerk be asked to tally up the exact expenditures of the grant so far and the line items that are still left in the budget.

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Trustee Landers made a motion to adjourn the meeting. Trustee Lucido seconded the motion. All in favor, motion carried

Minutes submitted by Catherine Palmieri, Deputy Clerk

