

June 16th, 2020

REGULAR BOARD MEETING

PRESENT: Mayor Washburn
Tr James, Reed, and Bannister
Supt Wright
Clerk Gozelski

Also present: Not open to the Public due to COVID-19.

At 5:01 pm Mayor Washburn called the meeting to order and led us in the Pledge of Allegiance.
Roll Call was done.

Public Comments: Not open to the Public due to COVID-19.

Minutes of previous meeting were read.

A motion was made by Tr Bannister, seconded by Tr James, that the minutes be approved from the previous meeting.

Polled: Ayes: Mayor Washburn, Tr Reed, James, and Bannister.
Noes: None Carried

Bills listed in abstract #1 in the amounts of:
\$8,916.22 in the General Fund, \$46,314.66 in the Electric Fund, \$3,340.26 in the Water Fund, and \$7,305.96 in the Sewer Fund.

A motion was made by Tr James, seconded by Tr Bannister, to approve and pay the Bills.

Polled: Ayes: Mayor Washburn, Tr Miller, James, and Bannister.
Noes: None Carried

Mayor's Report:

There was a discussion of L. Roberts' and a subdivision of his property. The matter has been tabled until the County Health Dept. deems that it will not have a negative impact on the Village of Castile's Water rights.
*This is for the subdivision for L. Roberts' daughter.

A discussion about water rights for P. Allen began. It is still awaiting approval of the County Health Dept. The Village Board will just allow one Residential EDU on the premises in question, to be borne by the resident.

A motion was made by Tr Reed, seconded by Tr James, advising the Mayor to sign the agreement with the Castile Historical Society.

Polled: Ayes: Mayor Washburn, Tr Reed, James, and Bannister.
Noes: None Carried

Committee Reports:

Tr Reed: D. Reed met with a Town Representative over the Re-opening procedures for the Government Center. Cleaning for the Court is the Town's responsibility.

A motion was made by Tr James, seconded by Tr Reed, that the Village will operate on an appointment only basis and continue to keep doors locked until August 1, 2020. Any resident that needs to make an appointment will be permitted to remain in the lobby only.

Polled: Ayes: Mayor Washburn, Tr Reed, James, and Bannister.
Noes: None Carried

Clerk's Report:

The Bank and EOM reports were submitted.
3 Monthly Zoning Reports were submitted from the County.

A motion was made by Tr James, seconded by Tr Bannister, to approve the following Budget Line transfer(s):
From F8330.1 To F8310.1 \$255.00

Polled: Ayes: Mayor Washburn, Tr Reed, James, and Bannister.
Noes: None Carried

A motion was made by Tr Bannister, seconded by Tr Reed, to direct the Mayor to sign for a two family Residential New Electric Service at 6 Beechwood for resident J Salamone.

Polled: Ayes: Mayor Washburn, Tr Reed, James, and Bannister.
Noes: None Carried

A motion was made by Tr James, seconded by Tr Reed, for the next Village Board meeting to take place at 5pm on July 21st.

Polled: Ayes: Mayor Washburn, Tr Reed, James, and Bannister.
Noes: None Carried

NYCLASS report was submitted.

A motion was made by Tr Reed, seconded by Tr James, to cancel the Summer Rec Program due to COVID-19. Signs will be purchased for the playground to inform the Public of use or nonuse.

Polled: Ayes: Mayor Washburn, Tr Reed, James, and Bannister.
Noes: None Carried

A motion was made by Tr Reed, seconded by Tr James, to cancel all pavilion rentals for the month of July and reimburse the renters.

Polled: Ayes: Mayor Washburn, Tr Reed, James, and Bannister.
Noes: None Carried

**VILLAGE OF CASTILE
RESOLUTION REGARDING UNPAID WATER BILLS**

Adopted: June 16th, 2020

The Village Board of the Village of Castile met at a regular board meeting at the Village Hall in the Village of Castile, New York on the 16th day of June, 2020, commencing at 5:00 p.m. at which time and place the following members were:

Present: Mayor Washburn
 Trustee James
 Trustee Bannister
 Trustee Reed

Absent: Trustee Miller

WHEREAS, all Board Members, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS, pursuant to Governor Andrew Cuomo's Executive Orders put into place in consideration of the COVID-19 pandemic and the guidelines introduced for Phase III of New York Forward, said meeting was held in accordance with social distancing protocol and face coverings were worn by all Board Members and public attendees; and

WHEREAS, on or about March 1, 2020, the Village of Castile realized an error in the water meter reading effecting Account No. A2485 located at 5808 Glen Iris Road (the "property") and owned by David Pankow; and

WHEREAS, the Village of Castile contacted the water meter service provider and determined that the water meter at the property was not properly reading the actual amounts of water being used between April of 2014 and February of 2020 during which time a total of 20,480,000 gallons of water was used but not billed for; and

WHEREAS, representatives from the Village of Castile met with the Pankows on June 8, 2020, to discuss the water meter reading errors and determine a resolution as the Village must be paid for the unbilled water otherwise it constitutes as a "gift" from the Village to the Pankows; and

WHEREAS, in consideration of the lost returns for the unaccounted water usage, the Pankows agreed to pay a total of \$45,500.00 to the Village of Castile plus reasonable attorney's fees as accumulated by the Village in the research and negation of this matter; and

WHEREAS, the fees billed to the Village of Castile by Village Attorney David M. DiMatteo for legal services concerning the Pankow water meter reading error totaled \$1,500.00 and such fees will be paid directly to DiMatteo and Roach by the Pankow's; and

WHEREAS, the Village Board believes it is in the best interest of the Village of Castile to bill David Pankow a total of \$45,500.00 beginning January 1, 2021, to be paid in monthly installments of \$1,000.00 with 0% interest for a total of 46 months until November 1, 2024, with the last month's payment being \$500.00 in addition to the regular water bill of Account No. A2485; and

WHEREAS, should the Pankows default on the monthly payment, it will be levied on their taxes as a special assessment; and

WHEREAS, should the property be sold between now and December 1, 2024, the Village Board believes it is in the best interest of the Village of Castile to direct the Village Clerk to complete a certificate which will denote to the buyer the remaining balance of the \$45,500.00 at the time of sale.

NOW, THEREFORE, ON MOTION made by Tr Bannister and duly seconded by Tr Reed therefore, be it

RESOLVED, that the Village Board of the Village of Castile acknowledges that there was a water meter reading error occurring from April of 2014 through February of 2020 at 5808 Glen Iris Road, a property owned by David Pankow and recognized as Account No. A2485 through the Village water service; and be it further

RESOLVED, that the Village Board of the Village of Castile recognizes that significant returns were lost as a total of 20,480,000 gallons of water were not recorded by the water meter and therefore went unbilled until realized by the Village of Castile on or about March 1, 2020 at which time the Village of Castile contacted the water meter service provider to report the problem; and be it further

RESOLVED, that based upon conversations with the Pankows and the Village Attorney, the Village Board finds it in the best interest of the Village of Castile to bill David Pankow a total of \$45,500.00 beginning

January 1, 2021 to be paid in monthly installments of \$1,000.00 with the last month's payment being \$500.00 at a rate of 0% interest for a total of 46 months in addition to the regular water bill of Account No. A2485; and be it further

RESOLVED, that the Village Board acknowledges that the fees billed to the Village of Castile by Village Attorney David M. DiMatteo for legal services concerning the Pankow water meter reading error totaled \$1,500.00 and such fees will be paid directly to DiMatteo and Roach by the Pankows; and

RESOLVED, that should the Pankows default on the monthly payment, it will be levied on their taxes as a special assessment; and be it further

RESOLVED, that should the property be sold between now and December 1, 2024, the Village Board of the Village of Castile shall direct the Village Clerk to complete a certificate which will denote to the buyer the remaining balance of the \$47,000.00 at the time of sale.

Ayes 4

Nays 0

Quorum Present: Yes

Dated: June 16th, 2020

Supt's Report:

CHIPS funding was reduced by 20% by the State.

Safety and Training for Electric has been cancelled. However, J. Scott started his 3rd year of Line School. Line School began on June 16th, 2020.

For Village year 2020, Supt. Wright proposed doing our own electric certification due to COVID-19.

A motion was made by Mayor Washburn, seconded by Tr Bannister, to approve the Village doing their own Electrical certification.

Polled: Ayes: Mayor Washburn, Tr Reed, James, and Bannister.

Noes: None Carried

Supt Wright will request a refund from the MEUA for payment made for certification.

A motion was made by Tr Bannister, seconded by Tr James, to declare our currently owned Leaf Sucker and the 6ft Finishing Mower as Surplus. These items are to be placed on Auctions International.

Polled: Ayes: Mayor Washburn, Tr Reed, James, and Bannister.

Noes: None Carried

Multiple quotes came in for the Tree Stump removal.

A motion was made by Tr Reed, seconded by Tr Bannister to approve the tree stump bid for T. Eastman for \$2,100.00 for 12 stumps.

Polled: Ayes: Mayor Washburn, Tr Reed, James, and Bannister.

Noes: None Carried

A motion was made by Tr Bannister, seconded by Tr Reed, to purchase modems for the Chlorinator and the Park meters that are cellular driven through Emmons Metro LLC to save \$1,000.00, if we purchase them all now. This will total be \$17,865.00.

Polled: Ayes: Mayor Washburn, Tr Reed, James, and Bannister.

Noes: None Carried

A motion was made by Tr Bannister, seconded by Tr Reed, to purchase the 80 Horse Kubota Diesel Engine Leaf Sucker Pro Plus, that was a State bid for \$62,933.00.

Polled: Ayes: Mayor Washburn, Tr Reed, James, and Bannister.
Noes: None Carried

At 7:48 pm, A motion was made by Mayor Washburn, and seconded by Tr Bannister, to adjourn the meeting.

Polled: Ayes: Mayor Washburn, Tr Reed, James, and Bannister.
Noes: None Carried

Respectfully submitted,

Johanna Gozelski
Clerk/Treasurer