



## REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF WATKINS GLEN HELD TUESDAY, OCTOBER 15, 2019

### PLEDGE OF ALLEGIANCE

The public session of the meeting was called to order at 6:00 pm by Mayor Luke Leszyk who led the assembled in the pledge of allegiance. Present were Mayor Luke Leszyk, Deputy Mayor Louie Perazzini, Trustee Anthony Fraboni, Trustee Laurie DeNardo, Trustee Nan Woodworth, Sergeant Brandon Matthews, Superintendent Terry Wilcox, Village Clerk Lonnie Childs and Treasurer Rhonda Slater. There were approximately five other persons in attendance.

### PUBLIC BE HEARD

There were no concerns from the public.

### APPROVAL OF MINUTES

#### Minutes for Regular Meeting October 1, 2019

Trustee Anthony Fraboni made the motion to approve the minutes for the regular Board of Trustees meeting held on October 1, 2019. Trustee Laurie DeNardo seconded the motion. The Board then voted on the motion and all were in favor. Motion Carried.

### REPORTS

#### Parks Report; Streets Report; Codes Report; Water Report; Sewer Report; Electric Report; Superintendent Report; Police Report; Treasurer's Report

Trustee Laurie DeNardo made the motion to approve the Department Heads' reports as presented. Deputy Mayor Louie Perazzini seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

### VOTING ITEMS

#### Watkins Glen Housing Authority Board Appointment

Trustee Nan Woodworth made the motion to accept the Mayoral Appointment of Rob Rossiter to the Watkins Glen Housing Authority Board. Trustee Laurie DeNardo seconded the motion. The Board then voted on the motion and all were in favor. Motion Carried.

#### NYSEG Easement – Catharine Valley Water Reclamation Facility

Trustee Anthony Fraboni made the motion to approve the following Assignment and Assumption of Easement Agreement with NYSEG as it pertains to the Catharine Valley Water Reclamation Facility. Deputy Mayor Louie Perazzini seconded the motion. The Board then voted on the motion and all were in favor. Motion Carried.

This Assignment and Assumption of Easement Agreement (“Assignment”), made this \_\_\_ day of \_\_\_\_\_ 2019 between:

The Village of Watkins Glen, whose address is 303 North Franklin Street, Watkins Glen, New York 14891 (“Assignor”); and

New York State Electric & Gas Corporation, a corporation organized under the laws of the State of New York, having an office at 18 Link Drive, PO Box 5224, Binghamton, New York 13901 (“Assignee”).

WHEREAS, the Assignor desires to assign its interests in the Easement to the Assignee; and

WHEREAS, the Assignee desires to acquire the Assignor's interests in the Easement.

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and valuable consideration and the mutual covenants set forth herein, the parties agree as follows:

1. The Assignor assigns to the Assignee all of its interest in the Easement.
2. The Assignee assumes all the terms and conditions of the Easement.
- 3.

IN WITNESS WHEREOF, the parties have signed this Assignment of the \_\_\_ day of \_\_\_\_\_, 2019.

#### Sewer Credits

##### 217 N Franklin Street

Trustee Anthony Fraboni made the motion to approve a sewer credit in the amount of \$693,000 for seventy-seven units to be issued to the Hi-Lites, located at 217 N Franklin Street, for a broken hot water tank. Deputy Mayor Louie Perazzini seconded the motion. The Board then voted on the motion and all were in favor. Motion Carried.

##### Town of Dix – 2374 State Route 414

The Town of Dix submitted a request to refund the sewer costs associated with 2374 State Route 414. The Township and the Village of Watkins Glen were under the erroneous assumption that this property has been connected to our sewer system, however, during a recent Dig Safely UFPO request, no sewer line was located. Superintendent Terry Wilcox dye tested the line and was able to determine that their sewer is not connected to the Village's system. The Town of Dix has requested that the last years' worth of billings be reimbursed to their customer. Trustee Laurie DeNardo made the motion to refund sewer expenses in the amount of \$1,519.31. Trustee Nan Woodworth seconded the motion. The Board then voted on the motion and all were in favor. Motion Carried.

#### BidNet – Web-based Solicitation & Bidding Services

Trustee Laurie DeNardo made the motion to approve the Village of Watkins Glen to enter into an agreement for services as outlined below with BidNet, an Empire State purchasing group, as a tool to simplify bidding and procurement procedures. Trustee Nan Woodworth seconded the motion. The Board then voted on the motion and all were in favor. Motion Carried.

Parties to this Agreement: The parties to this Services Agreement (hereinafter referred to as "the Agreement") are the Village of Watkins Glen (hereinafter referred as the "Participating Organization") and International Data Base Corp., doing business under the trade name BidNet, a legally incorporated body having its principal place of business at 1 5 British American Boulevard, Latham, New York, 121 10 (hereinafter referred to as "BidNet").

WHEREAS the Participating Organization is in need of web-based solicitation and bidding services, including maintenance and support services;

WHEREAS under the Agreement, BidNet has developed a web-based solicitation system, providing on-line bidding services, including maintenance and support services (hereinafter referred to as "The Network")

WHEREAS the Participating Organization wishes to join The Network and benefit from the services provided by BidNet;

#### THE PARTIES AGREE:

1. Description of Services: System Membership: The Participating Organization has agreed to join The Network. It is understood that BidNet will provide the Participating Organization with access to The Network.
2. Term of Agreement: This Agreement shall become effective on the date of the execution for an initial term of twelve (12) months (the "Initial term"). The Initial Term of this

Agreement may be extended in one-year increments, without notice unless terminated by either party.

3. Payment for Services:

3.1 Participating Organization Fees:

- 3.1.1. Subscription Fees: There will be no subscription fees incurred by the Participating Organization under this Agreement.
- 3.1.2. Mailing Fees: BidNet will send an invoice to the Participating Organization for reimbursement of postage fees incurred to produce the mailing to suppliers.
- 3.1.3. Press Release Fees: BidNet will send an invoice to the Participating Organization for reimbursement of Press Release distribution fees incurred to distribute Press Release.
- 3.1.4. Programming Fees: The Participating Organization agrees to use The Network on an "as is" basis. Any customized work requested by the Participating Organization shall be made available at One Hundred and Twenty-five dollars (\$125) per hour.
- 3.1.5. Surplus Auction Fees: Should the Participating Organization choose to use the Surplus Auctions program to sell unwanted goods and equipment, a 5% commission will be paid to BidNet for items sold.
- 3.1.6. Future Enhancements: BidNet reserves the right to offer future services to the Participating Organization which may or may not include service fees.

3.2 Supplier Registration Fees:

- 3.2.1. Basic Service: This option gives suppliers access to search for documents of interest for all Participating Organizations actively using The Network at no charge, but requires them to remember to login frequently to ensure they are able to view opportunities before they close. This includes bids, addendums and awards.
- 3.2.2. Optional Value-Added Service: Suppliers that choose to register for the value-added service option will be charged a nominal annual subscription fee. This includes notification from all Participating Organizations when bids, addendums and awards are posted on The Network that matches their profile.
- 3.2.3. Future Enhancements: BidNet reserves the right to offer future services to all registered suppliers which may or may not include separate service fees.

- 4. Termination: This Agreement may be terminated by either party upon sixty (60) days notice. Notice shall be in writing, sent by certified mail, return receipt requested.
- 5. Entire Agreement: This Agreement constitutes the entire understanding of the parties and the parties agree that there are no other understandings, representations or warranties, either expressed or implied, whether written or oral, made by either party, except as stated within this Agreement.
- 6. Amendments: No alteration of this Agreement shall be valid unless made in writing and signed by the parties and no oral understanding or agreements not incorporated herein shall be binding on the parties.
- 7. Governing Law: This Agreement shall be governed by the laws of the State of New York.
- 8. Severability: If any provision of this Agreement will be held to be invalid or unenforceable for any reason, the remaining provisions will continue to be valid and enforceable.

9. **Work Product Ownership:** Any copyrightable works, ideas, discoveries, inventions, patents, products, or other proprietary information developed in whole or in part by BidNet in connection of this Agreement, will be the exclusive property of BidNet.
10. **Unauthorized Use:** The Participating Organization agrees to require each user obtain a username and password to gain access to The Network. Sharing of usernames and passwords is strictly prohibited. The Participating Organization also agrees to obtain written consent from BidNet prior to showing demonstrations of The Network to any third party.
11. **Warranty:** BidNet shall provide its services and meet its obligations under this Agreement in a timely manner, using knowledge for performing the services which meet a standard of care equal to service providers similar to BidNet on similar projects.
12. **Signatures:** The individuals executing this Agreement represent and warrant that they have the legal capacity and authority to do so on behalf of their respective legal entities.

The parties hereto, by their duly authorized representatives, have executed this Agreement effective the day and year written under the Participating Organization below.

#### [Health Consortium – Approval to Sign Agreement](#)

Trustee Laurie DeNardo made the motion to approve Village Clerk Lonnie Childs to sign the Municipal Cooperative Agreement with the Greater Tompkins County Municipal Health Insurance Consortium as previously adopted by the Village of Watkins Glen. Deputy Mayor Louie Perazzini seconded the motion. The Board then voted on the motion and all were in favor. Motion Carried.

#### [Resolution - Budget Amendment for Fire Department Insurance Expenses](#)

Trustee Anthony Fraboni made the motion to approve the following budget amendment. Deputy Mayor Louie Perazzini seconded the motion. The Board then voted on the motion and all were in favor. Motion Carried.

WHEREAS, the Village opted to switch insurance providers for the Fire Department from Travelers Insurance to VFIS to provide better coverage for fire vehicles and apparatus; and

WHEREAS, there was an unanticipated increase in the cost of coverage between the two policies;

BE IT RESOLVED, that the Village of Watkins Glen Treasurer be authorized to adjust the 2019-2020 budget to increase the expense line AA3410.440 and decrease expense line AA3410.400 in the amount of \$6,571.13, respectively.

#### [CONFERENCE REQUESTS](#)

There were no conference requests.

#### [AUDIT](#)

##### [General Audit](#)

Trustee Laurie DeNardo made the motion to approve the regular audit, along with the online payments in the following amounts. Trustee Anthony Fraboni seconded the motion.

General	\$45,662.20	Sewer	\$15,219.81
Electric	\$50,941.47	Water	\$11,127.75

The Board then voted on the motion to approve and all were in favor. Motion Carried.

## JPC Audit

Trustee Anthony Fraboni made the motion to approve the JPC audit in the amount of \$2,523,360.09. Trustee Laurie DeNardo seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

## BOARD CONCERNS

### Reconfigure Village Office Space

The Board discussed reconfiguring the office spaces on the lower level of the Municipal Building. It was suggested to move the Police Department to the back of the building as originally designed and move the Mayor's office and Codes Department to the front of the building where the Police Department is currently located. No determinations were made.

### Village Christmas

The Board members were asked to join in the parade for Village Christmas. The theme is "*The Twelve Days of Christmas*". The Police were also asked to look into the possibility of closing the Fourth Street and Franklin Street intersection for the event. It was suggested that traffic could be routed down Madison Ave. for the event.

### Local Law Regarding the Keeping of Chickens

An inquiry into the keeping of chickens was made to the front office by a resident. The Board was asked if they knew any information regarding a law on this topic. There were no immediate replies. Village Clerk will continue to research.

### "No Shave November/December" Campaign

The Village Police Department will be participating in the "No Shave November/December" Campaign for cancer awareness and to help raise funds for those fighting this battle. For the month of November and December, the department participants will donate a \$1.00 a day to grow a full beard and participate in the campaign, which is contrary to the current goatee policy. The Board was in favor of the event.

### Health Insurance Update

The Village Clerk reminded the Board that a meeting needs to be set up to go over the new health insurance program both at the Board level and the employee level.

## EXECUTIVE SESSION

Trustee Anthony Fraboni made the motion to exit public session and enter executive session at 6:47 pm for one personnel issue. Trustee Laurie DeNardo seconded the motion and all were in favor. Motion Carried.

## ADJOURNMENT

With no further business to come before the Board, Trustee Laurie DeNardo made the motion to adjourn the meeting at 6:54 pm. Trustee Nan Woodworth seconded the motion. The Board then voted on the motion and all were in favor. Motion Carried.

Meeting Adjourned.  
Respectively Submitted,

Rhonda E Slater