

REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE  
VILLAGE OF WATKINS GLEN HELD MONDAY, APRIL 6, 2009

The public session of the meeting was called to order by Mayor Judith H Phillips at 7:00pm welcoming Boy Scout Troop 2000. Present were Trustees William E Smagner, Nicholas P Kelly and Wayne N Weber. Also present were Superintendent Mark L Specchio, Police Chief Thomas R Struble, Clerk/Treasurer Donna J Beardsley and Account Clerk/Typist Rhonda E Slater. Absent was Trustee Gregory A Coon. There were ten boy scouts in attendance, two boy scout leaders and five others in attendance.

PUBLIC  
SESSION -  
ATTENDANCE

The Boy Scout Troup 2000 out of Montour Falls, NY led those in attendance in the pledge of allegiance. Boy scout Larry Morris stated that the troop was present as a requirement for their "*Citizen in the Community*" badge.

PUBLIC HEARING- Restore NY grant:

The public hearing for the *Restore NY* grant for 65 Salt Point Road Property was opened at 7:01pm. Mr. Benedict gave a brief summary of project, hitting on the main points of remodeling the building into 8 apartments and a restaurant. He further stated that he has been through the planning board and has received a negative SEQR declaration for the project. The plans follow all guidelines for the lakefront development grant. Mayor Phillips stated that the public hearing would be kept open for 20 minutes for further comments.

PUBLIC  
HEARING -  
*RESTORE NY*  
GRANT

PUBLIC CONCERNS:

There were no public concerns, but the Mayor interacted with the boy scouts asking them about the Skate Park and asked if there were any other concerns about the Village. Several of the scouts responded that they enjoy using the skate park facilities.

PUBLIC  
CONCERNS

JUSTICE REPORTS:

The report of activities for the month of March from Justice Dugo was approved with a motion by Trustee Weber, a second by Trustee Smagner and all being in accord. Motion Carried.

JUSTICE  
REPORTS

DEPARTMENT HEADS' REPORTS:

Praise was given for the repair of the water leak on the corner of Franklin Street and Fourth Street.

DEPARTMENT  
HEADS'  
REPORTS

Trustee Kelly asked about the problem at the Community Center where the spray foam is causing separation from the flashing. The problem is causing water leakage in the roof. Superintendent Specchio stated that Michelle has been in contact with the original installer (Sunrise Insulation) to find out how to fix the issue.

Superintendent Specchio requested that the board deeply consider approving the distributed engineering proposal/agreement for the raw water intake project. It is a necessary undertaking with which the Village needs to move forward. Mayor Phillips stated that Superintendent Specchio, Clerk/Treasurer Beardsley and she had recently met with representatives with USDA where it was established that the Village is eligible for a \$300,000 grant (stimulus monies) towards this project. The rest of the approximately \$1.2 million dollar project would be funded by a 30 year, low interest loan. Trustee Weber made the motion to approve the engineering proposal for the raw water intake project as submitted to the Board from Hunt Engineers. Trustee Smagner seconded the motion. All were in favor. Motion Carried.

ENGINEERING  
PROPOSAL -  
RAW WATER  
INTAKE

Trustee Kelly made the motion to hire Charles Bell, Terry Oakden, David Mathews, (and as a pre-approved back up person - Paul Ector) as seasonal laborers for the cemetery crew to begin on Monday, April 20<sup>th</sup> at a rate of \$8.00/hr. Trustee Weber seconded the motion and all were in agreement. Motion Carried.

SEASONAL  
HIRES

Cemetery crew

Trustee Smagner made the motion to hire the following list of seasonal laborers to work as park maintenance workers, with their corresponding weekly hours, at a rate of \$8.00/hr and a start date of Monday, April, 20, 2009. Trustee Weber seconded the motion and all were in favor. Motion Carried.

Park Maintenance  
Crew

Morris Edmister - 20 hours per week (in addition to his 20 in the center)  
Beau Whitney - part time 25 hour per week  
Don Kosty - full time for start-up then cut back to 30 hours per week

Billy Hardwick – 35 to 40 hours per week

The final list of seasonal hires was approved with a motion by Trustee Weber, a second by Trustee Smagner and all being in accord. This was to hire Sarah Bianco and Suzanne Bianco as Summer Rec. co-directors at \$10.50 per hour. Motion Carried.

Summer Rec.  
Co-directors

Trustee Kelly made the motion to approve a one week camping season extension as requested on a one year trial basis by Park Manager Michelle Hyde. This would accommodate two groups to come in for October 16-18, 2009. Trustee Smagner seconded the motion and all were in accord. Motion Carried.

CONFERENCE REQUESTS:

Trustee Smagner made the motion for Clerk/Treasurer Beardsley and Mayor Phillips to attend the 2009 Main Street Economic Development Conference sponsored by NYCOM. The conference will be held in Canandaigua, NY on April 30, 2009 and will incur a cost of \$95/person. Trustee Weber seconded the motion and all were in accord. Motion Carried.

CONFERENCE  
REQUESTS

Trustee Kelly made the motion for Ed Berry to attend two conferences/training sessions in May at a cost of \$370 plus hotel stay to be held in Rochester. These courses would provide 18 credit hours of certification. Trustee Weber seconded the motion and all agreed. Motion Carried.

Trustee Weber made the motion for Police Chief Struble and Sergeant Decker to attend the 2009 Empire State Law Enforcement Traffic Safety Conference in Syracuse, NY on May 5 & 6, 2009. The fees for this conference will be covered by the Traffic Safety grant. Trustee Kelly seconded the motion and all were in favor. Motion Carried.

PUBLIC HEARING- Restore NY grant: (revisited)

The public hearing was revisited at 7:22pm. The Mayor asked if there were any comments. There were still none. The public hearing was closed at 7:22pm. Trustee Kelly made the motion to reflect that the required public hearing was held and that no comments were made by anyone. Trustee Smagner seconded the motion. Trustee Kelly voted in favor. Trustee Weber voted in favor. Trustee Smagner voted in favor. Mayor Phillips voted in favor. The motion was approved with a 4-0 vote in favor. Motion Carried.

PUBLIC  
HEARING  
(revisited)

MAYORAL APPOINTMENTS:

The following mayoral appointments were approved with a motion by Trustee Weber, a second by Trustee Kelly and all being in concurrence. Motion Carried.

MAYORAL  
APPOINT-  
MENTS

**MAYORAL APPOINTMENTS**

For Village Political Year April 6, 2009 - March 31, 2010

<u>POSITION</u>	<u>APPOINTEE</u>	<u>TERM EXPIRATION</u>	<u>MEETING FREQUENCY</u>
Deputy Mayor	Gregory A. Coon	03/31/2010	
Clerk-Treasurer	Donna J Beardsley	03/31/2011	
Registrar	Donna J Beardsley	03/31/2011	
Village Board of Health	Judith H. Phillips	03/31/2011	
	Donna J Beardsley	03/31/2011	
Cemetery Commissioner	Donna J Beardsley	03/31/2011	
Bingo Commissioner	Judith H. Phillips	03/31/2011	
Village Historian	Donna J Beardsley	03/31/2011	
Part-time Police Officers	David Novinsky		
	Robert Brill		
	Robert Minichello		
	Anthony Tostanoski		
	Jesse Grover		
	David Amaro		
	Mathew Notorfonzo		
	Richard Pierce		
Police Matron	Jan Tamberelli	03/31/2010	
	Kim Smith	03/31/2010	
Zoning Board of Appeals	Roger Hugo	03/31/2012	PRN
	Kathy Fragola	03/31/2013	PRN
	Walter Hollien	03/31/2010	PRN
	Joe Orbin	03/31/2011	PRN

Positional  
Appointments

	Mark Stephany	03/31/2011	PRN	
Housing Authority	George Baldassare	03/31/2014		
	Nicholas J Dugo	03/31/2010		MAYORAL APPOINTMENTS
	Steve Gillete	03/31/2011		(con)
	Ken Wilson	03/31/2012		
	Joanne McLaine	03/31/2013		
Planning Board	Joseph Fazzary (Chair)	03/31/2013	3rd Wed Month 7PM	
	Amedeo Fraboni	03/31/2012	3rd Wed Month 7PM	
	Kevin Smith	03/31/2011	3rd Wed Month 7PM	Positional Appointments
	John Vona	03/31/2011	3rd Wed Month 7PM	
	Tom Fitzgerald	03/31/2010	3rd Wed Month 7PM	
Acting Village Justice	David McElligott	03/31/2010		

**Mayor Judith H. Phillips made the following Liaison and Working Assignments:**

<u>POSITION</u>	<u>APPOINTEE</u>	<u>MEETING FREQUENCY</u>	
Budget	Mayor Phillips & all Trustees		
Cemeteries	Mayor Phillips & Trustee Weber		
Computer System	Mayor Phillips & Clerk Beardsley		
County Environmental Council	Representative - Frank Spena		
Teamster Employee Negotiates	Trustee Coon & Trustee Smagner		
Police Employee Negotiations	Trustee Weber & Trustee Coon		
Electric Employee Negotiations	Trustee Smagner & Trustee Coon		Liaison & Working Assignments
Equipment Maintenance	Trustee Kelly		
Finances	Mayor Phillips & all Trustees		
Fire Department	Trustee Smagner & Trustee Weber		
SCOPED	Mayor Phillips & Trustee Coon	1st Wed Month 7AM	
Landfill Commission	Voting Rep. Trustee Weber, Alternate- David Burt		1st Wed Month 7PM
Police	Trustee Smagner & Trustee Coon		
Properties and Buildings	Mayor Phillips & all Trustees		
Streets	Trustee Weber & Trustee Kelly		
Utilities	Trustee Smagner & Trustee Weber		
Village Planning Board Liason	Trustee Smagner	3rd Wed Month 7PM	
Village Master Plan Liason	Trustee Kelly		
Watkins Glen Youth Center, Inc (Royce-Haight Trusts)	Trustee Kelly & Clerk Beardsley		
Watkins Glen Promotions Rep.	Mayor Phillips	1st Wed Month 5PM	
WG Downtown Partnership	Trustee Smagner	3rd Thurs Month 10AM	
Ecological Master Plan	Trustee Kelly	Every other month	
Youth Commission	Trustee Kelly		
Parks	Trustee Smagner & Trustee Coon		
Schuyler County Youth Board	Trustee Weber	TBA	
County Planning Board	James Adesso	2nd Thurs Month 7PM	
Catherine Valley Trail	Mayor Phillips	Every other month Noon	
Solid Waste Task Force	Trustee Kelly		
Insurance Liason	Trustee Coon		
Official Newspaper	Watkins Review & Express		
Official Depositories	HSBC		
	Chemung Canal Trust Co		
	Community Bank, NA		
	JP Morgan Chase		

**BOARD CONCERNS:**

Trustee Kelly made the motion for the Little League Baseball to set up a batting cage between the tennis courts and the baseball field down at Clute Park Campground. Trustee Weber seconded the motion and all were in accord. Motion Carried.

Trustee Kelly inquired about the cell phone booster. Police Chief Struble and Superintendent Specchio both agreed that the installation has been a great enhancement.

Trustee Kelly asked about the installation of a security system. Mayor Phillips shared that the Superintendent and she would be visiting the County's Shared Services Building to

**BOARD CONCERNS**

review their system and to check on the feasibility of tapping into their already existing system.

Lastly, Trustee Kelly queried about the jet/vac truck. Superintendent Specchio retorted that there were no hoses attached, but the outside looks good. It will be hauled down to the sewer plant tomorrow to check out the interior of the machine.

Trustee Weber updated the Board on the Landfill meeting. The committee has agreed that for this year and this year only, the budget will be cut in half. This indicates that the fee charged to the Village would be half of last year's fee.

Trustee Weber then requested to reestablish the Saturday morning meetings for possible changes in the zoning law. Mayor Phillips will schedule the first meeting for April 25<sup>th</sup> at 8am.

Trustee Smagner had no concerns.

Trustee Smagner made the motion for the Saint Jude's bike-a-thon and the ARC walk-a-thon events to be held May 16, 2009. No complications were found between the two simultaneous events. Trustee Kelly seconded the motion and all were in concurrence. Motion Carried.

Clerk/Treasurer Beardsley informed the Board that they have been officially invited to be in the parade for the Italian-American Festival to be held on Saturday, August 1, 2009.

Trustee Kelly made the motion for Superintendent Specchio to advertise for bids for the curbside recycle program for the fiscal year 2009-10. The bid will include options for monthly and bi-weekly pickup. Trustee Smagner seconded the motion and all were in accord. Motion Carried.

Superintendent Specchio shared a request from Brian Wolverton of 200 N Decatur Street for a sewer adjustment due to a faulty hot water tank. The recommendation was for ten sewer units at a credit of \$45.00. Trustee Weber made the motion to approve the request per the suggestion of the Superintendent. Trustee Kelly seconded the motion. All agreed. Motion Carried.

SEWER  
CREDITS

The next appeal, via email, was from the Town of Dix. Fred Hall asked for a 9600 gallon sewer credit at a cost of \$87.36 for a leak in the basement of the Argetsinger's residence on County Route 17. Trustee Weber made the motion to approve the above request. Trustee Kelly seconded the motion and all were in favor. Motion Carried. The Board also requested that Superintendent Specchio discuss this situation with Town of Dix personnel since this is the second request from the same property in a short period of time.

Superintendent Specchio notified the Board that the street sweeper will be in Schuyler County from mid May until mid June and will be shared by four entities.

Trustee Weber made the motion to hire Silverline Construction to remove a hydrant near the canal on Fourth Street at the County contract rate. Trustee Smagner seconded the motion and all were in accord. Motion Carried.

Police Chief Struble had no Board concerns.

Mayor Phillips updated the Board on correspondence from Attorney Thomas Rill that the lawsuit filed by Melissa Morse vs. Village of Watkins Glen was "ordered dismissed." The lawsuit filed by Melanie Barnes vs. Village of Watkins Glen was "discontinued by execution and receipt of a Release executed by the Plaintiff, a Release of Attorney's Lien from Plaintiff's counsel's former employer, and a Stipulation of Discontinuance with prejudice (thus barring a second action)." The correspondence further stated that "as declared in the Release, the sum paid in settlement was \$21,000.00. The Release was not an admission of liability."

LAWSUIT  
UPDATE -  
MORSE/  
BARNES VS  
VILLAGE

Mayor Phillips brought up the fact that the water quality report was distributed with the April 1, 2009 utility bills. Clerk/Treasurer Beardsley stated an addendum to the report would go out with the May 1, 2009 billing.

Trustee Smagner made the motion for the Relay for Life committee to use LaFayette Park on May 1, 2009 from 5:30pm to 9:00pm. Their main event will be held May 29-30, 2009. Trustee Kelly seconded the motion and all were in favor. Motion Carried.

Trustee Coon entered at 7:46pm

Trustee Coon expressed his appreciation for 20 years of service provided by Mayor Phillips. Her 20 year anniversary date was April 1, 2009. A round of applause was provided by all.

RESOLUTIONS:

Trustee Smagner made the motion to approve the following resolution designating Electric Supervisor Minard LaFever as the MEUA delegate. Trustee Kelly seconded the motion and all were in accord. Motion Carried.

RESOLUTIONS

WHEREAS, The Village of Watkins Glen is a municipal member of the Municipal Electric Utilities Association of New York State; and

WHEREAS, The Semi-Annual Meeting of the Municipal Electric Utilities Association of New York State has been called on April 29 and 30, 2009 to be held at the Embassy Suites Hotel, East Syracuse, New York; and

MEUA Delegate

WHEREAS, in accordance with the bylaws of the Municipal Electric Utilities Association of New York State, each municipal member may cast one vote on each transaction properly brought before this meeting,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Watkins Glen hereby designates Minard LaFever as the accredited delegate of the Village of Watkins Glen, New York.

Trustee Weber then made the motion to accept the following resolution for settlement of a cemetery trust. Trustee Smagner seconded the motion and all were in accord. Motion Carried.

IT IS HEREBY RESOLVED, that the Village of Watkins Glen is hereby authorized to accept funds distributed in connection with the termination of the Trust under the Declaration of Trust between Warren W Clute, Jr., Deceased, and Glen National Bank and Trust Company ( now Bank of America, N.A.) as the Trustee, dated October 4, 1978, for the benefit of Glenwood Cemetery (the "Declaration of Trust"), a copy of which is annexed hereto as Exhibit A; and

Glenwood  
Cemetery –  
Settlement of  
Cemetery Trust

BE IT FURTHER RESOLVED, that the Village of Watkins Glen shall hold the money received from the termination of the Trust as a restricted fund to be used for the purposes and pursuant to the provisions of the Declaration of Trust and pursuant to a decree to be issued by the Schuyler County Surrogate's Court, a copy of which proposed decree is annexed hereto as Exhibit B.

A budget transfer resolution for the purchase of new software was adopted with the motion by Trustee Kelly, a second by Trustee Weber and all being in favor. Motion Carried.

WHEREAS, the Village has purchased Software and Maintenance from Harris Computers, and

WHEREAS, the software is used for the Villages accounting, payroll and utility billing procedures, and

WHEREAS, the cost of such software and maintenance for this fiscal year has been \$4713.02, and

Budget Transfer –  
Software  
Purchase

WHEREAS, the Village has an established Capital Reserve Account to cover such costs,

NOW THEREFORE, BE IT RESOLVED that the Village Clerk/Treasurer be and hereby is, authorized to transfer the sum of: \$4,713.02 from the Clerks Improvements Reserve AA.0231-100 to General Fund Account AA.1410.40R.

The final resolution in support of a Community Grant Application was approved by a motion from Trustee Kelly, a second by Trustee Smagner. Trustee Coon voted in favor. Trustee Smagner voted in favor. Trustee Kelly voted in favor. Trustee Weber voted in favor. Mayor Phillips voted in favor. The vote was 5 to 0 in favor. Motion Carried.

WHEREAS, New York State Department of Housing and Community Renewal/Office of Community Renewal has announced a 2009 round of grant funding for the New York Main Street Grant; and

Community Grant  
Application

WHEREAS, Community Progress Incorporated (CPI), in cooperation with SCOPED, Inc. and Cornell Cooperative Extension of Schuyler County, intends on submitting an application in the amount of \$200,000 for assistance to property owners in the target area of North Franklin Street and Fourth Street, the commercial core of the Village of Watkins Glen; and the grant guidelines require that the grant application has the support of the local municipality; and

RESOLUTIONS  
(con)

WHEREAS, funds received by CPI for the 2006 Round of NY Main Street that were directed to the Village of Watkins Glen resulted in major improvements to seven buildings in the commercial district, significantly enhancing the economic vitality of the Village.

Community Grant  
Application (con)

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Watkins Glen supports the application by Community Progress, Incorporated to the April 2009 round of the New York State Main Street Grant Program, in an amount not to exceed \$200,000.

MINUTES:

MINUTES

Trustee Smagner made the motion to accept the minutes from the March 16, 2009 regular meeting of the Board of Trustees. Trustee Coon seconded the motion. All were in favor. Motion Carried.

AUDIT:

AUDIT

Trustee Weber made the motion to accept the abstract of unaudited vouchers, along with the additional amount to be added to the Village utility bill, for April 6, 2009 at the following amounts:

General	\$50,058.51	Water	\$4,641.35
Electric	\$41,301.20	Sewer	\$8,245.48

Trustee Kelly seconded and all were in favor. Motion Carried.

EXECUTIVE SESSION:

EXECUTIVE  
SESSION

Superintendent Specchio had one personnel item for executive session. Trustee Kelly made the motion to end public session and to enter executive session at 7:55pm. Trustee Smagner seconded the motion and all were in favor. Motion Carried.

Trustee Weber made the motion to end executive session and re-enter public session at 8:10pm. Trustee Smagner seconded the motion and all were in favor. Motion Carried.

Trustee Kelly made the motion to approve the hiring of Peter Cherock as a seasonal laborer at the rate of \$8.00 per hour. Trustee Weber seconded the motion. The vote was 4 in favor and 1 opposed (Smagner). Motion Carried.

SEASONAL  
LABORER

With no other business, Trustee Weber made the motion to adjourn at 8:11pm. Trustee Kelly seconded the motion and all agreed. Motion Carried.

ADJOURNMENT

Meeting adjourned.

Respectfully Submitted,

Rhonda E Slater

