

REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE
VILLAGE OF WATKINS GLEN HELD MONDAY, MAY 17, 2010

The public session of the meeting was called to order by Trustee William E Smagner at 8:00 pm. Present were Trustees Nicholas P Kelly and Wayne N Weber. Superintendent of Utilities Mark L Specchio, Superintendent of Streets, Parks and Cemeteries Donald R Perry, Sergeant Steven M Decker, Clerk/Treasurer Donna J Beardsley and Sr. Account Clerk/Typist Rhonda E Slater were also present. Absent were Mayor Judith H Phillips and Trustee Gregory A Coon. There were approximately fourteen people in attendance.

PUBLIC
SESSION -
ATTENDANCE

PUBLIC CONCERNS:

Steven McDaniel spoke against the Village Board's decision concerning the placement of the buoys, the legality of moving the buoys and the enforcement of restrictions. The Board informed those present that the buoys would not be moved out to 1,000 feet in accordance with the direction from the State.

PUBLIC
CONCERNS

Greg entered at 8:09pm.

Much discussion followed regarding the events of the last American/Italian Festival and possible solutions to problems that were faced. Also present to express their concerns/opinions were Montour Falls Marina boaters Darlene Niver, Lynn Hugg, Lisa Heller and Mike Marcoccia. In closing, Acting Mayor Coon stated that any if any changes are to be made, the Village Board will contact Marty Roberts and Brad Golden (designated boater representatives) to set up a meeting for the public to voice their input.

BOATER
COMPLAINT-
MOVEMENT OF
BUOYS

Freedom Village representative Matt Camacho was present to request a permit for two buses to use Village Streets because of being over the weight restrictions. The route would include use of Decatur Street and Second Street and Third Street between Franklin Street and Decatur Street. Trustee Kelly made the motion to grant permission to travel their designated route. Trustee Smagner seconded the motion. All were in favor. Motion Carried.

BUS PERMIT –
FREEDOM
VILLAGE

Jim Loonan, Senior Civil Engineer for Hunt Engineers was present to discuss a proposed bond resolution for the raw water intake project. The Board as a whole made it known that the Village could not afford to pay for a project with a cost of \$2,890,000. Trustee Kelly and Trustee Smagner stated that the project will need to be scaled back and could not exceed \$2 million. After much discussion, the following bond resolution was approved with a motion by Trustee Kelly, a second by Trustee Weber and all being in one accord. Motion Carried.

WHEREAS, on July 20, 2009 the Village Board of Trustees of the Village of Watkins Glen, Schuyler County, New York adopted a bond resolution authorizing improvements to the water system (the "Project") at an estimated maximum cost of \$1,145,000; and

WHEREAS the Village Board of Trustees now wishes to increase the maximum amount of the Project to \$2,890,000 due to an expansion of the scope of the project to include additional improvements including, but not limited to, the construction of a three story utility building, replacement of the current chlorine gas pre-treatment to chlorine dioxide, installation of a chlorine dioxide generator, reconnection of the existing water supply intake to be used as backup to the new intake and staging of materials and equipment;

NOW THEREFORE, BE IT RESOLVED, by the Village Board of Trustees (by the favorable vote of not less than two-thirds of all the members of the Board) as follows:

SECTION 1. The specific purpose (hereinafter referred to as "Purpose") to be financed pursuant to this resolution is the reconstruction of and construction of improvements to the Village water system including, but not limited to, the construction of a new water supply intake extending approximately 400 feet into Seneca Lake, reconnection of the existing water supply intake to be used as backup to the new intake, installation of a new pump station, construction of a three story utility building, replacement of the current chlorine gas pre-treatment to chlorine dioxide including the installation of a chlorine dioxide generator and the staging of materials and equipment, including all preliminary work and necessary equipment,

A BOND
RESOLUTION,
AMENDING
THE BOND
RESOLUTION
ADOPTED
JULY 20, 2009,
AUTHOR-
IZING THE
RECON-
STRUCTION OF
AND CON-
STRUCTION OF
IMPROVE-
MENTS TO THE
VILLAGE
WATER
SYSTEM, AT
AN
ESTIMATED
MAXIMUM
COST OF
\$2,890,000

materials and site work and all preliminary costs and costs incidental thereto, at an estimated maximum cost of \$2,890,000.

SECTION 2. The Village Board of Trustees plans to finance the estimated maximum cost of said purpose by the issuance of serial bonds in an amount not to exceed \$2,890,000 of said Village, hereby authorized to be issued therefor pursuant to the Local Finance Law, said amount to be offset by any federal, state, county and/or local funds received. Unless paid from other sources, the cost of such improvement is to be paid by the levy and collection of taxes on all real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

BOND
RESOLUTION
(con)

SECTION 3. It is hereby determined that such Purpose is an object or purpose described in subdivision 1 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of such Purpose is 40 years.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of said bonds.

SECTION 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

SECTION 6. The faith and credit of the Village are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources, there shall annually be levied on all the taxable real property of the Village a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of such notes and of Section 21.00, Section 50.00, Sections 56.00 to 60.00, Section 62.00 and Section 63.00 of the Local Finance Law, the powers and duties of the Village Board of Trustees pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of the sale of such bonds, and the renewals of such notes, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

SECTION 8. The temporary use of available funds of the Village, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in Section 1 of this resolution. The Village then reasonably expects to reimburse any such expenditures (to the extent made after the date hereof or within 60 days prior to the date hereof) with the proceeds of the bonds authorized by Section 2 of this resolution (or with the proceeds of any bond anticipation notes issued in anticipation of the sale of such bonds). This resolution shall constitute the declaration of the Village's "official intent" to reimburse the expenditures authorized by Section 2 hereof with such bond or note proceeds, as required by United States Treasury Regulations Section 1.150-2.

SECTION 9. The Village Treasurer is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution, and any notes issued in anticipation thereof as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 10. The Village Treasurer is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 11. The Village has complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act ("SEQRA"), comprising Article 8 of the Environmental Conservation Law and, in connection therewith, duly issued a negative declaration and/or other applicable documentation, and therefore, no further action under the State Environmental Quality Review Act is necessary.

BOND
RESOLUTION
(con)

SECTION 12. The Village Treasurer is hereby authorized to execute and deliver in the name and on behalf of the Village a project financing agreement prepared by the New York State Environmental Facilities Corporation ("EFC") (the "SRF Project Financing Agreement"). The Village Treasurer and the Village Clerk and all other officers, employees and agents of the Village are hereby authorized and directed for and on behalf of the Village to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby, including, but not limited to, the SRF Project Financing Agreement.

SECTION 13. The validity of such serial bonds or of any bond anticipation notes issued in anticipation of the sale of such serial bonds may be contested only if:

(1)(a) such obligations were authorized for an object or purpose for which the Village is not authorized to expend money, or

(b) if the provisions of the law which should be complied with as of the date of publication of this resolution were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(2) such obligations were authorized in violation of the provisions of the Constitution of New York.

SECTION 14. This Resolution is subject to permissive referendum pursuant to Section 36.00 of the Local Finance Law. The Village Clerk is hereby authorized and directed to publish (one time) and post (in at least six (6) conspicuous public places within the Village and at each polling place), this resolution, or a summary thereof, together with a notice of adoption of this resolution subject to permissive referendum, within ten (10) days after the date of adoption of this resolution.

SECTION 15. If no petitions are filed in the referendum period, the Village Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of said Local Finance Law, in a newspaper having a general circulation in the Village and hereby designated as the official newspaper of the Village for such publication.

SECTION 16. Nothing in this amendment shall affect the validity of the original July 20, 2009 bond resolution, or any action taken thereunder and any such actions are hereby ratified.

JUSTICE REPORTS:

Trustee Smagner made the motion to approve the Justice Reports as presented by Judge McElligott and Judge Dugo for activities in the month of April. Trustee Weber seconded the motion and all were in accord. Motion Carried.

JUSTICE
REPORTS

DEPARTMENT HEADS' REPORTS:

Trustee Smagner asked about the wrenches to turn on the water down at the park being removed by the Water Department. Much discussion followed.

DEPARTMENT HEADS' REPORTS

Trustee Kelly made the motion to approve the department heads' reports. Trustee Weber seconded the motion. All voted in favor. Motion Carried.

Trustee Kelly made the motion to approve a twenty-one unit sewer credit for Terrapin Outfitters, owners of 219 N Franklin Street. The \$94.50 credit was for a hot water tank which ruptured. Trustee Smagner seconded the motion. All were in accord. Motion Carried.

SEWER CREDITS

The second utility request for the evening came from Beatrice Fazzary of 338 Summit Avenue. Trustee Weber made the motion to grant a four unit sewer credit for filling an above ground pool. Trustee Smagner seconded the motion. All were in concurrence. Motion Carried.

The request from Park Manager Michelle Hyde to hire Lynelle Cleveland as a seasonal worker was denied. Further information was requested.

Clerk/Treasurer Beardsley announced that Arrowhead Disposal withdrew their bid for recycling. The only bid left to accept or reject was from Cardinal Disposal with a bid of \$2,400 a month for bi-weekly pickup and \$2,350 for monthly pickup. Much discussion followed weighing the costs and benefits. Trustee Kelly made the motion to approve the bi-weekly bid made by Cardinal Disposal. Trustee Weber seconded the motion. The vote was Trustee Kelly and Trustee Weber for the motion and Trustee Smagner and Acting Mayor Coon against the issue. With the vote 2 to 2, the motion failed. All bids were rejected.

RECYCLING BIDS REJECTED

More discussion followed discussing the possibility of using dumpsters, placed down at Clute Park as an alternative to the bi-weekly/monthly pickup. Trustee Smagner made the motion to rebid for recycling with the addition of dumpsters. The combination of dumpsters and once a month pickup or the dumpster only alternatives are to be put in the new bid specs. Trustee Weber seconded the motion. All were in accord. Motion Carried.

SUMMER HOURS APPROVED

The request from the Teamsters spokesman Edward Berry for a shift change to summer hours (0600 to 1430) was discussed by the Board. Discussion ensued. Trustee Weber felt that for the safety of the work crew and other pedestrians the request should be approved. He followed this with a motion to allow the flexible shift, pursuant to manager input and under the auspice that the time schedule adjustment can be rescinded if it is found not to be beneficial. Trustee Smagner seconded the motion. All agreed. Motion Carried.

POLICE DEPARTMENT REPORT:

Trustee Smagner made the motion to approve the police report for April. Trustee Kelly seconded the motion and all were in favor. Motion Carried.

POLICE DEPARTMENT REPORT

Sergeant Decker informed the Board of a planned pharmaceutical drop-off day to be held by the Watkins Glen Police Department, in conjunction with Schuyler County, on June 12th from 8-11am.

CONFERENCE REQUESTS:

There were no conference requests.

CONFERENCE REQUESTS

BOARD CONCERNS:

Trustee Weber had no Board concerns.

BOARD CONCERNS

Trustee Smagner had several concerns regarding the roof on the Lakeside Park bath house, the signage for the CVT, the SCADA system and the Town of Reading water/sewer meter. He was informed that the CVT sign stakes are currently in the ground, that the remaining parts for the SCADA system were received and that it would be up and running by the end of the week, that there has been no new news from Edger regarding the exhaust fan for the Fire Department and that there is a meeting next Monday with the Town of Reading to discuss the sewer billings and rates.

Trustee Kelly had no Board concerns.

Clerk/Treasurer Beardsley informed the Board that Motor Equipment Operator Charles Bell has completed his six month probationary period and will receive the wage increase as designated in the Teamsters contract. The wage increase will be retro to April 26th.

She then discussed a certified letter received from Jim Wilson, Executive Director of Schuyler ARC, stating that their funding was reinstated and they will be proceeding with the building of the new house on South Decatur Street.

A request from Mary Coykendall to waive the fees for the girl scouts use of the Community Center for their awards night was denied stating that the Board would stick to their current policy.

A special fiscal year end meeting was scheduled for May 28th at 6:15am. The topics would be the audit and the recycling bid documents.

Clerk/Treasurer Beardsley had one contractual item for executive session.

She then distributed the proposed Local Law #2 of 2010 amending the current zoning Local Law of 2004 for the Board to review. The public hearing on this Local Law will be scheduled for the next regular Board meeting, June 21, 2010 at 8 pm.

Trustee Kelly made the motion for Superintendent Specchio to go out to bid for electrical meters. Trustee Weber seconded the motion and all were in favor. Motion Carried.

Superintendent Specchio had one personnel item for executive session

Sergeant Decker had no Board concerns.

Superintendent Perry had no Board concerns.

Acting Mayor Coon had one negotiation item for executive session.

RESOLUTIONS:

The following budget transfer resolution for grant monies received for the Watkins Glen Fire Department was approved with a motion by Trustee Weber, a second by Trustee Smagner and all being in favor. Motion Carried.

WHEREAS, on April 27, 2010 a grant was received for the Fire Department;
and

WHEREAS, the amount of the grant was \$3,216.00, which was not included in the 2009-2010 budget;

NOW, THEREFORE, BE IT RESOLVED, that the Clerk/Treasurer be, and hereby is, authorized to amend the 2009-2010 budget by increasing Revenue Account A3089 State Aid, Other General Govt. and Appropriations Account A3410.400 Fire Department Contractual in the amount of \$3,216.00 each.

Trustee Weber then made the motion to approve a Police Department budget transfer resolution for the receipt of additional traffic safety enforcement grant funds. Trustee Weber seconded the motion and all were in accord. Motion Carried.

WHEREAS, the Police Department did receive a grant for \$1,378.64 for additional traffic safety enforcement; and

WHEREAS, those funds were received and have been credited to the General Fund account number A3089; and

WHEREAS, the Police Department did increase traffic safety enforcement and has paid the overtime wages for officers out of A3120.1;

NOW, THEREFORE, BE IT RESOLVED, that the Village Clerk/Treasurer be, and hereby is, authorized to account number A3089 by \$1,378.64 and to increase account number A3120.1 by \$1,378.64.

MINUTES:

The minutes were tabled to the next meeting.

RESOLUTIONS

BUDGET
TRANSFER –
FIRE DEPT

BUDGET
TRANSFER –
POLICE DEPT

MINUTES

AUDIT:

AUDIT

Trustee Kelly made the motion to accept the abstract of unaudited vouchers, along with the add-ons, at the below listed amounts.

General	\$76,906.24	Water	\$9,412.80
Electric	\$130,429.21	Sewer	\$17,708.59

Trustee Weber seconded the motion and all were in accord. Motion Carried.

EXECUTIVE SESSION:

EXECUTIVE SESSION

Trustee Smagner made the motion to exit public session and enter executive session. The time was 10:10pm. Trustee Kelly seconded the motion and the Board was in full agreement. Motion Carried.

Trustee Weber made the motion to exit executive session and return to public session at 10:45 pm. Trustee Kelly seconded the motion and all voted in favor. Motion Carried.

Trustee Kelly made the motion to approve a three percent (3%) wage increase for Sr. Account Clerk/Typist Rhonda Slater effective June 1, 2010, and for Account Clerk Keyboardist Julie Krause effective July 1, 2010 which is the end of her six month probationary period. Trustee Smagner seconded the motion and all voted in favor. Motion Carried.

WAGE INCREASES

Trustee Kelly made the motion to appoint Tom Ballard to the Lineman Helper position in the Electric Department and to increase his wages to \$14.52 pursuant to the Electric Department contract, effective the first day of the next pay period which is May 24, 2010. Trustee Smagner seconded the motion and all voted in favor.

There being no further business to come before the Board, Trustee Kelly made the motion to adjourn the meeting at 10:47 pm.

ADJOURNMENT

Respectfully Submitted,

Rhonda E Slater

