

**REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE
VILLAGE OF WATKINS GLEN HELD MONDAY, FEBRUARY 4, 2019**

PLEDGE OF ALLEGIANCE

The public session of the meeting was called to order at 6:00pm by Mayor Samuel Schimizzi who led the assembled in the pledge of allegiance. Present were Mayor Samuel Schimizzi, Trustee Gary Schmidt, Trustee Anthony Fraboni, Trustee Laurie DeNardo, Trustee Nan Woodworth, Sergeant in Charge Steven Decker, Village Clerk Lonnie Childs and Treasurer Rhonda Slater. Also present were Interim Superintendent of Utilities Terry Wilcox and Park Manager Michelle Hyde. Absent was Code Enforcement Officer Greg Larnard and Superintendent of Streets, Parks and Cemeteries Don Perry. There were three other persons in attendance.

PUBLIC BE HEARD

There were no public concerns.

PUBLIC HEARING

NYSEG Franchise Agreement

Trustee Anthony Fraboni made the motion to open the public hearing for the NYSEG franchise agreement at 6:01pm. Trustee Laurie DeNardo seconded the motion and all were in favor. Motion Carried.

APPROVAL OF MINUTES

Minutes for Regular Meeting January 22, 2019

Trustee Nan Woodworth made the motion to approve the minutes for the regular Board of Trustees meeting held on January 22, 2019. Trustee Laurie DeNardo seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

REPORTS

Parks Report, Streets Report, Codes Report, Superintendent's/Wastewater Report, Treasurer's Report

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

Park Manager Michelle Hyde commented that the riprap material needed to finish the kayak launch trail area will cost approximately \$17,000.

PUBLIC HEARING CLOSED

With no comments from the public regarding the hearing, Trustee Laurie DeNardo made the motion to close the public hearing on the franchise agreement with NYSEG at 6:18pm. Trustee Gary Schmidt seconded the motion. The Board then voted on the motion and all were in favor. Motion Carried.

VOTING ITEMS

Administrative Tribunal Stipulation (Water Violation – DOH)

Trustee Anthony Fraboni made the motion for the Mayor to sign the State of New York Department of Health Administrative Tribunal Stipulation accepting the stipulation offer and to comply with the conditions set forth as it pertains to the Water Department violations of the Public Health Law and/or Health Department Regulations contained in Title 10 of the Official Compilation of Codes, Rules and Regulations of the State of New York. Trustee Nan Woodworth seconded the motion. The Board then voted on the motion and all were in favor. Motion Carried.

Resolution – Establish A Natural Gas Franchise with NY State

Trustee Laurie DeNardo made the motion to approve the following franchise agreement resolution with NYSEG. Trustee Gary Schmidt seconded the motion. The Board then voted on the motion and all were in favor. Motion Carried.

NEW YORK STATE ELECTRIC & GAS CORPORATION having, by its written petition dated June 22, 2018, requested the consent of the Village of Watkins Glen, County of Schuyler and State of New York, that it may carry on the gas utility business in the said Village and may occupy the streets and public places in said Village for that purpose and as otherwise provided herein, and a public hearing having been held after due notice thereof having been given as required by the Village Law, and said application having been duly considered by the Board of the Village of Watkins Glen at a meeting duly held on February 4, 2018; and

THE BOARD OF TRUSTEES of the Village of Watkins Glen, County of Schuyler and State of New York, by and with the consent and approval of the Mayor of said Village as evidenced by the signature attached hereto having by resolution at a meeting of said Board duly called and

held for such purposes on the 4th day of February, 2019, after hearing, notice of which was given by publication in the official newspaper of said Village at least ten (10) days prior to the public hearing, authorized the granting of a gas franchise to NEW YORK STATE ELECTRIC & GAS CORPORATION, pursuant to its Petition for a Public Hearing on January 22, 2019.

NOW, THEREFORE, the Village of Watkins Glen, by Mayor Samuel Schimizzi, Trustee Gary Schmidt, Trustee Anthony Fraboni, Trustee Laurie DeNardo, and Trustee Nan Woodworth, does hereby grant New York State Electric & Gas Corporation, its successors and assigns, upon due acceptance hereof in writing, a franchise for a term of fifty (50) years from the date hereof, to lay, construct, install, maintain and operate conductors, fixtures, pipes and structures for carrying, transmitting, distributing and delivering gas (natural, manufactured or mixed), and other fluids, with the necessary pipes, conduits, ducts, valves, valve pits, regulators, compressors and other conductors, fixtures and structures in, under, along, across, through and to extend its facilities beyond all streets, highways, alleys, squares, lanes, parks and public places in the said Village of Watkins Glen, for the purpose of furnishing, selling and distributing gas for light, heat and power purposes, in said Village, and to extend its facilities beyond the limits of the Village as may be necessary and incident to its business as a company that furnishes natural gas service.

PROVIDED, HOWEVER, that all pipes, conduits, ducts, valves, valve pits, regulators, compressors and other conductors, fixtures and structures shall be placed in such a manner as to cause as little inconvenience to the public in the use of such highways as is practicable and consistent with the safety and efficiency of such pipes, conduits, ducts, valves, regulators, compressors and other conductors, fixtures and structures.

PROVIDED FURTHER, that all of said pipes, conduits, ducts, valves, valve pits, regulators, compressors and other conductors, fixtures and structures shall be placed, constructed and maintained in a proper and workmanlike manner so that the same shall in no way endanger the public, and the said Company shall at all times indemnify and save harmless said Village and the members of said Board of Trustees, their successors and assigns, from and against any and all actions, suits, damages, costs, charges and expenses by reason of the location and maintenance of said pipes, conduits, ducts, valves, valve pits, regulators, compressors and other conductors, fixtures and structures through, along and under any of the streets, highways, avenues, lanes and other public places, or by reason of any act done or omitted to be done in the premises by said Company.

PROVIDED FURTHER, whenever said Company shall have occasion to make an opening in the surface of any street, highway or other public place for the purpose of laying or repairing any pipes, conduits, ducts, valves, valve pits, regulators, compressors and other conductors, fixtures and structures, it will first procure any permits necessary under the law or ordinances of said Village (except in an emergency), will conduct such work in a careful and workmanlike manner, will cause as little disturbance of traffic as reasonably possible, and will restore the surface of such street, highway or other public place equal to or better than its former condition, including restoration of pavements where it has been necessary to disturb the same.

PROVIDED FURTHER, that this grant of a franchise is made upon the condition that permission be secured from the Public Service Commission as is required by law.

RESOLVED, that the Mayor and Board of Trustees of the Village of Watkins Glen be and hereby are authorized and directed to execute and deliver the written consent of the Village as herein provided.

[Resolution – Election Inspector Residency Requirements](#)

Trustee Anthony Fraboni made the motion to approve the following resolution specifying the election inspector's residency requirements. Trustee Gary Schmidt seconded the motion. The Board then voted on the motion and all were in favor. Motion Carried.

WHEREAS, there is a relatively small population in the Village of Watkins Glen, it is not always possible to fill election inspector positions with Village residents who are duly qualified to hold such positions, and

WHEREAS, the Board further finds that it is authorized to appoint qualified residents of Schuyler County outside of the Village to said offices under said § 3-300 and § 10 of the Municipal Home Rule Law to expand such residency requirements to allow residents of Schuyler County to be eligible for appointment to said position.

THEREFORE, BE IT RESOLVED, the Village Clerk is permitted to recommend election inspectors outside of the Village of Watkins Glen, but still residing within Schuyler County.

[Resolution – Appointment of Election Inspectors](#)

Trustee Anthony Fraboni made the motion to approve the following resolution appointing election inspectors for the

March 2019 Elections. Trustee Nan Woodworth seconded the motion. The Board then voted on the motion and all were in favor. Motion Carried.

WHEREAS, Election inspectors who are trained on the voting machines are needed to work at the upcoming Village Election on March, 19, 2019, and

WHEREAS, Election inspector's compensation for the March 19, 2019 Village Election will be \$150.00 for the day per inspector with the polling hours being Noon to 9 p.m.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Watkins Glen, New York hereby approve the Village Clerk's recommendation and do hereby appoint Mary Hoose as election chairperson and Judith Caruso, Alice Stratton and Doris Fazzary as election inspectors for the March 19, 2019 Village Election.

[Resolution – Budget Amendment \(Police Department\)](#)

Trustee Laurie DeNardo made the motion to approve the following budget amendment for the Police Department for the SRO agreement with the Watkins Glen Central School District. Trustee Nan Woodworth seconded the motion. The Board then voted on the motion and all were in favor. Motion Carried.

WHEREAS, the Village of Watkins Glen entered into a memorandum of agreement between the Watkins Glen Police Department and the Watkins Glen Central School District at a regular meeting of the Board of Trustees on September 17, 2018; and

WHEREAS, the 2018-2019 General Fund Budget was adopted prior to the signing of this agreement so the appropriations for AA.2210.000 General Services, Other Gov'ts – SRO and the corresponding expense account AA.3120.140 Police – Personal Services-SRO were budgeted at the old agreement rate of \$30,000; and

WHEREAS, under this agreement, the Watkins Glen Central School authorized reimbursement for services in the amount of \$60,000 for the School Resource Officers, a maximum of \$10,000 for extra duty hours as needed and \$5,000 for materials and supplies; and

WHEREAS, the Watkins Glen Police Department is desirous of utilizing the reimbursement of services to cover payroll related expenses and the reimbursement for materials and supplies for the future purchase of a police vehicle;

BE IT THEREFORE RESOLVED, that the Village of Watkins Glen Treasurer be, and hereby is, authorized to amend the 2018-19 Budget to increase revenue account AA.2210.000 General Services, Other Gov'ts – SRO by \$45,000 and to increase expense account AA.3120.140 Police – Personal Services-SRO by \$40,000 and expense account AA.3120.200 Police Equipment by \$5,000 to coincide with the new agreement; and

BE IT FURTHER RESOLVED, that the Village of Watkins Glen Treasurer be, and hereby is, authorized to make the necessary journal entries to commit \$5,000 of these reimbursement funds for the future purchase of a police vehicle.

[Schuyler County MOU – Voting Machine Usage for Village Election](#)

Trustee Anthony Fraboni made the motion for the Village to enter into a Memorandum of Understanding with Schuyler County for usage of their voting machines. Trustee Laurie DeNardo seconded the motion. The Board then voted on the motion and all were in favor. Motion Carried.

Commissioners of the Schuyler County Board of Elections have approved the use of Voting Systems by other entities within the county responsible for holding elections. That use will be allowed under the following conditions:

1. Two (2) machine Custodians/Technicians (1 from each major party) must be selected from BOE trained staff.
2. A minimum of two (2) Election Inspectors (1 from each party) must be selected from the BOE list of certified inspectors. Non-BOE certified personnel may be used in addition if needed.
3. If necessary, Party Inspectors are the responsibility of the village using the machines.
4. Machines will be delivered and picked up by BOE personnel to maintain a chain of custody.
5. Machines will be stored in a safe and secure environment before, after and during use.
6. Ballot information will be provided by Village Clerk.
7. Ballots will be defined by BOE staff on EMS equipment owned by BOE.
8. Ballot proof is the responsibility of the Village Clerk.
9. Ballots may be ordered from printer by the village.
10. Ballot test decks may be ordered from the printer as well.
11. Damage to the machine will be the responsibility of the village.

Voting equipment will be loaned at no charge to the village. Cost of inspectors, technicians,

ballots and others incidental to its use will be at the village's expense.

Surplus Parks 2016 Ferris Zero Turn Mower

Trustee Anthony Fraboni made the motion to surplus the 2016 Ferris Zero Turn Mower and send it to auction. Trustee Gary Schmidt seconded the motion. The Board then voted on the motion and all were in favor. Motion Carried.

Sewer Credit Request – Great Escape

Trustee Anthony Fraboni made the motion to approve a sixty-one units, \$506.30 sewer credit for The Great Escape located at 221 S Franklin Street for a water line break. Trustee Laurie DeNardo seconded the motion. The Board then voted on the motion and all were in favor. Motion Carried.

Camp Reservation System – Part-time Seasonal Hire

Park Manager Michelle Hyde requested permission to have one of the returning part-time seasonal staff attend a two-day, two-hour training course on the new camp reservation system at a rate of \$11.10/hr. Trustee Laurie DeNardo made the motion to approve the request. Trustee Gary Schmidt seconded the motion. The Board then voted on the motion and all were in favor. Motion Carried.

CONFERENCE REQUESTS

23rd Annual Regional Leadership Conference – Corning Community College April 4, 2019

Trustee Anthony Fraboni made the motion for Zoning Board members: Robert Lee, David Hertel, Colleen Chavchavadze and Stacy Gray; Planning Board members: Brian Eslinger, Tom Fitzgerald; Schuyler County Liaison Bill Pylypciw; and Code Enforcement Officer Greg Larnard to attend the Southern Tier Central conference on April 4, 2019 at a cost of \$50 per registrant. Trustee Gary Schmidt seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

AUDIT

General Audit

Trustee Laurie DeNardo made the motion to approve the audit in the following amounts, along with the online payments for fines and fees in the amount of \$7,445.00 and the online sales tax payment in the amount of \$4,848.71. Trustee Gary Schmidt seconded the motion.

General	\$9,984.92	Sewer	\$3,243.18
Electric	\$148,781.13	Water	\$1,669.41
Capital Project – JWWTP	\$5,954.00		

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

BOARD CONCERNS

FERC Refund

Village Treasurer Rhonda Slater informed the Board that a notice from the MEUA was received stating they have determined that an error was made in the formula used to determine the rate stabilization reserve balance. The Village of Watkins Glen will be receiving a refund for the years 2011-2017 on our NYPA statements that will be dispersed over the next three months in the amount of \$11,536.94 for a total of \$34,610.83.

NYPA Meeting Update and Digger Truck Purchase

Village Treasurer Rhonda Slater and Interim Superintendent Terry Wilcox gave a brief overview of the NYPA rate study follow-up meeting that was held on Tuesday, January 29, 2019. There are several price quotes that the Village needs to obtain and provide to NYPA in order to move forward with the rate study. These include prices for a new digger/auger truck, a new small bucket truck, and costs associated with installing a new service line directly from the substation to service the new wastewater treatment plant and create redundancy at the southern end of the Village, as well as the proposed new construction sites on Second Street. Village Treasurer Rhonda Slater then provided an Onondaga State Bid price quote from Terex for a new Terex Commander 4045 model hydraulic rotating digger derrick with a boom tip winch with a cost of \$236,706 and an estimated completion date of twelve to eighteen months. Trustee Laurie DeNardo made the motion for the Village to purchase the digger derrick truck at a cost of \$236,706.00. Trustee Gary Schmidt seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

GASB 75 Services

Village Treasurer Rhonda Slater provided the Board with two price quotes for completion of the state mandated GASB 75. The Village has historically had to have this report done every three years and it was last completed in 2016. The first quote was for our incumbent actuary firm Burke Group with a quote of \$3,500 for this year and \$2,250 for next year. The second quote was from Lepton Actuarial & Consulting, with a quote of \$5,000. The Treasurer will try to obtain one more quote and then bring the matter back for approval to move forward.

EXECUTIVE SESSION

Trustee Laurie DeNardo made the motion to exit public session and enter executive session at 7:03pm for one contractual matter. Trustee Gary Schmidt seconded the motion and all were in favor. Motion Carried.

ADJOURNMENT

With no further business to come before the Board, Trustee Anthony Fraboni made the motion to adjourn the meeting at 7:25pm. 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

