

REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE
VILLAGE OF WATKINS GLEN HELD MONDAY JUNE 2, 2014

PLEDGE OF ALLEGIANCE

The public session of the meeting was called to order at 7:00pm by Mayor R Mark Swinnerton, Jr. who led the assembled in the pledge of allegiance. Present were Mayor R Mark Swinnerton, Trustee Scott D Gibson, Trustee Kevin J Smith, Trustee Anthony J Fraboni, Superintendent of Streets, Parks and Cemeteries Donald R Perry, Police Chief Thomas R Struble, Clerk/Treasurer Donna J Beardsley and Senior Account Clerk Typist Rhonda E Slater. Also present was Park Manager Michelle Hyde. Absent were Trustee Paul E Clifford, Superintendent of Utilities Mark L Specchio, Water Supervisor Harley Connelly, Electric Supervisor Minard LaFever and Code Enforcement Officer Gregory Larnard. There were approximately fourteen others in attendance.

ADDITIONS TO OR DELETIONS FROM THE AGENDA

Clerk Beardsley had two contractual and two personnel matters for executive session.

Trustee Gibson had one Police Department negotiations item for executive session.

Mayor Swinnerton had two items for executive session, personnel matters. He also added proposed local law #4 to the agenda as item 5.1E.

PUBLIC BE HEARD

Mrs. Pat Hastings was present to discuss her concerns with the possible relocation of the skate park. She stressed the importance of keeping the skate park in a very visible location to increase supervision and deter inappropriate behavior and/or actions. Mark Stephany also voiced similar concerns about moving the skate park to an alternate location. Mayor Swinnerton stated that the Village has only asked for RFPs and no set plans have been made.

Doug Thayer, Scotty Muir, Mark Stephany, Jay Polacco and Ellen Lampman spoke at length to the Board regarding the noise ordinance. Much confusion has arisen in how the law is meant to be interpreted. They stressed their desire to have objective criteria such as set decibel levels added to the law. Trustee Gibson explained that such strict guidelines were purposely left out of the law leaving more room for flexibility. He further explained that the noise ordinance law is a work in progress and that there will be growing pains as each side learns and applies the law. He stressed the fact that the Village Board has a duty to represent the residents as well as the businesses. Everyone must work together to maintain the things that make this Village great.

Russ Hardick, dba Woodman's BBQ, was present to request permission to use LaFayette Park for closed pit barbeque sales Wednesday thru Monday during the summer hours. He would be running the cooker all night Wednesday to be ready to sell on Thursday. The Board approved the request commenting that there is a \$250 vendor permit fee.

Shawn Hourihan, owner of CNY Custom Rods and Reels, was present to request permission to put a small apartment-sized refrigerator in the Clute Park Campground office to sell bait from. Park Manager Hyde stated she has spoken with him and has no issue with it. Mr. Hourihan stated that he would provide the Village \$1 per sale as payment for use of the space. The Board gave their approval.

Raphael Specchio, Jr was present to praise Water Supervisor Harley Connelly and Superintendent Don Perry for their hard work and dedication to the Village.

Paul Marcellus requested that the Board take another look at the zoning law, in particular the section on signage, as he would like them to consider allowing scrolling/changeable message boards for businesses.

Bruce Nelson was present to discuss a memo that was submitted to the Board protesting the amounts he was billed on four of his accounts at Salt Point Road. The meters for 49, 51, 53, and 55 Salt Point Road had been activated for an unknown amount of time before being billed. The month that they were finally billed to Mr. Nelson, the ppac was at its peak rate. His request is that an average ppac rate be calculated for the months the meters were active and an appropriate credit be issued to the corresponding accounts. Mayor Swinnerton stated that the Board will speak with Electric Supervisor Minard LaFever to come up with an approximate start date and a credit will be given based on the findings.

Charles Fausold requested that the Village Board offer a proclamation at the US Power Squadrons event to be held on Friday, June 13th at Seneca Harbor Park.

Watkins Glen Concerts in the Park Request

Trustee Anthony J Fraboni made the motion to approve the Watkins Glen Concerts in the Park request submitted by Julie Ann Darling Sissel to hold concerts in LaFayette Park on Tuesday evenings from July 1, 2014 through August 19, 2014 from 7pm to 9pm. Trustee Scott D Gibson seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

APPROVAL OF MINUTES

Minutes for Regular Meeting May 12, 2014

Minutes

Trustee Scott D Gibson made the motion to approve the minutes for the regular meeting of the Board of Trustees held on May 12, 2014. Trustee Kevin J Smith seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

REPORTS

Parks Department Report

Parks Report May 12 to June 1, 2014

Trustee Kevin J Smith made the motion to approve the Parks Department report. Trustee Scott D Gibson seconded the motion. Mayor Swinnerton discussed the Lake Trout Derby and the Seneca Wine and Food Event that took place down at the Park. Both events went very well. The Board then voted on the motion to approve and all were in favor. Motion Carried.

Season Hires - Lifeguards

Lifeguards Memo

Trustee Anthony J Fraboni made the motion to approve the following seasonal hires. Trustee Kevin J Smith seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

Co-head lifeguards: \$11 per hour

Matthew Hayes

Haleigh Wixson

Lifeguards: \$9.50 per hour

Mikaela Hintenberger

Victoria Wixson

Jordan Little

Kalea Jones

Lucas Wickham

Waterfront Festival - Special Event Approval

Trustee Scott D Gibson made the motion to approve the Waterfront Festival special event application with the condition that the Fire Department gives their approval. Mayor Swinnerton stated that he will have to review the process and try to figure out how to make it run smoother. Trustee Kevin J Smith seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

Lakeside Park Request - Yoga Instruction

The Board approved the request from Kathie Notarfonzo to hold yoga instruction classes at Lakeside Park on Wednesday evenings during the summer months from 6pm to 7:30pm. The Board was in favor.

Village Brush Dump – Tree Disposal

Superintendent Perry discussed the need for the Village to establish a policy regulating the circumference of logs dropped off at the Village brush dump. Currently, logs are being left that are too large to be tub ground. It wasn't an issue in the past because Camp Monterey would take the lumber to use as firewood. Now there is no place to dispose of the stumps. Discussion followed.

Vendor Law

The Board briefly discussed the draft of the vendor law. They discussed making changes to the draft. It will be presented again at the next regularly scheduled Board meeting.

Street Department Report

Street Report May 9 - 28, 2014

Trustee Anthony J Fraboni made the motion to approve the Street Department report as presented. Trustee Kevin J Smith seconded the motion. The Board discussed the water main break on Second Street and Glen Ave. Superintendent Perry also explained that the Street Department spread stone on Decatur Street because the oil is bleeding up with the ninety degree weather. In the long run, adding more stone will help fill in holes and strengthen the street. Lastly, he informed the Board that the Village has a supply of hot patch that they will be using to complete Third Street, Glen Ave and Second Street repairs, as well as filling in numerous potholes throughout the Village. The Board then voted on the motion to approve and all were in favor. Motion Carried.

Water Department Report

Water Report May 8 - 28, 2014

Trustee Scott D Gibson made the motion to approve the Water Department report as submitted. Trustee Kevin J Smith seconded the motion. Superintendent Perry stated that he has learned how to isolate areas for notification using the codeRed system. The Board then voted on the motion to approve and all were in favor. Motion Carried.

Electric Department Report

Electric Report May 12 - 23, 2014

Trustee Kevin J Smith made the motion to approve the Electric Department report as written. Trustee Anthony J Fraboni seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

Wastewater Department Report

Sewer Report May 9 - 30, 2014

Trustee Anthony J Fraboni made the motion to approve the handwritten Wastewater Department report. Trustee Scott D Gibson seconded the motion. Mayor Swinnerton gave an update on the revised consent order requiring a fine payment of \$20,000 payable at \$5,000/yr on June 1st. This is in addition to the current consent order we just completed paying prior to June 1, 2014. The Mayor further stated that there are other stipulations in the consent order that must be met within the month. He then updated the public on Project Seneca stating that they are working on the SEQR now and will be reviewing IMA's and bonds in the near future. The Mayor then stated that the Village is rearranging staffing so the sewer plant is manned seven days a week. The Board then voted on the motion to approve and all were in favor. Motion Carried.

Pool Credits

Trustee Scott D Gibson made the motion to approve a four unit, \$18.36 sewer credit, for David Symes for filling his pool per his submitted readings. Trustee Anthony J Fraboni seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

Trustee Scott D Gibson made the motion to approve a five unit, \$22.95, sewer credit to Ruth Powers for filling her pool per her submitted meter readings. Trustee Kevin J Smith seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

DEC Consent Order

Trustee Anthony J Fraboni made the motion to approve and sign the NYSDEC consent order. Trustee Scott D Gibson seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

Zoning and Building Department Report

Codes Report May 12 - 23, 2014

Trustee Kevin J Smith made the motion to approve the Zoning and Building Department report as presented. Trustee Scott D Gibson seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

Superintendent's Reports

Superintendent's Projects May 12 - 28, 2014

WWTP Attack Plan May 12 - 30, 2014

Trustee Anthony J Fraboni made the motion to approve the Superintendent's reports as submitted. Superintendent Specchio is off on vacation leave. Trustee Kevin J Smith seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

Police Department Report

Trustee Scott D Gibson made the motion to approve the Police Department report as written. Trustee Kevin J Smith seconded the motion. Chief Struble commented on the public input given by the audience on the noise law. The Chief expressed that this type of interaction should have happened months ago and that possibly the best route would be for him to speak directly to the establishments to clear up any misunderstandings about the new law. The Board then briefly discussed providing a waiver, similar to the open container waiver, to allow the bands to perform at their normal levels until midnight during the special events that are held throughout the summer. Chief Struble then commented that the Seneca Wine and Food Event was well organized and there were no police issues with the event. Lastly, the Board mentioned that the Chamber of Commerce will be hosting fireworks on July 4, 2014. The Board then voted on the motion to approve and all were in favor. Motion Carried.

Fire Department Report
No report was submitted.

CONFERENCE REQUESTS

There were no conference requests.

AUDIT

General Audit

Audit

Trustee Anthony J Fraboni made the motion to approve the audit in the following amounts. Trustee Scott D Gibson seconded the motion.

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|----------|--------------|-------|-------------|
| General | \$169,680.83 | Water | \$29,027.99 |
| Electric | \$217,763.29 | Sewer | \$25,741.47 |

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

VOTING ITEMS

Southern Tier Central Contract Renewal

Trustee Scott D Gibson made the motion to approve the Southern Tier Central Contract renewal at an annual cost of \$5,407.50. Trustee Anthony J Fraboni seconded the motion. The Board then voted on the motion and all were in favor. Motion Carried.

Award Recycle Bid

Trustee Anthony J Fraboni made the motion to award the two year recycling bid contract to Arrowhead Disposal. Trustee Kevin J Smith seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

Municipal Building Cleaning Contract

Trustee Scott D Gibson made the motion to award the Municipal Building cleaning contract and office window cleaning to The Night Shift for the 2014-2015 fiscal year. There were two quotes submitted for window cleaning, one being The Night Shift and the other from Reflections Are Us. The Night Shift came in with the lowest bid. Trustee Anthony J Fraboni seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

Resolution to Amend Budget - 2014 Ford F350

Resolutions

Trustee Anthony J Fraboni made the motion to approve the following budget amendment for the purchase of a new 2014 Ford F350. Trustee Kevin J Smith seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

WHEREAS, the Street Department will be purchasing a new 2014 F350 Pickup from Van Bortel Ford, Purchase Order #695 for \$26,750.65; and

WHEREAS, part of the purchase was covered by the sale of a 2011 Ford F350 Pickup Truck; and

NOW, THEREFORE, BE IT RESOLVED, that the Clerk/Treasurer be, and hereby is, authorized to transfer the sum of \$3,523.35 from the Capital Equipment Reserve A231-200 to Expense Account AA.5110.200 Street Maintenance Equipment to cover the balance of the purchase price.

Resolution to Amend Budget - 2014 F350 Pickup

Resolution to Amend Budget - 2014 Bobcat Skid Steer

Resolution to Amend Budget - 2014 Bobcat Skid Steer

Resolution to Amend Budget - 2013 Ferris Mower

Resolution to Amend Budget - 2002 GMC Pickup Truck

Trustee Anthony J Fraboni made the motion to approve the aforementioned list of budget amendment resolutions. Trustee Gibson seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

Resolution to Amend Budget – Purchase 2014 F350 Pickup

WHEREAS, the Street Department will be purchasing a new 2014 F350 Pickup from Van Bortel Ford, Purchase Order #695 for \$26,750.65; and

WHEREAS, the Street Department sold a 2011 Ford F350 at auction and received \$23,227.30; and

NOW, THEREFORE, BE IT RESOLVED, that the Clerk/Treasurer be, and hereby is, authorized to amend the 2013-14 Budget to increase Revenue Account AA.2665.000 Sale of Surplus and Expense Account AA.5110.200 Street Maintenance Equipment Account in the amount of \$23,227.30 respectively.

Resolution to Amend Budget – Purchase 2014 S570 T4 Bobcat Skid-Steer

WHEREAS, the Street Department will be purchasing a new 2014 S570 T4 Bobcat Skid-Steer from Clark Equipment Company, Purchase Order #680, for \$31,886.02; and

WHEREAS, the Street Department sold a 2013 S570 Bobcat Skid-Steer at auction and received \$27,326.22; and

NOW, THEREFORE, BE IT RESOLVED, that the Clerk/Treasurer be, and hereby is, authorized to amend the 2013-14 Budget to increase Revenue Account AA.2665.000 Sale of Surplus and Expense Account AA.5110.200 Street Maintenance Equipment Account in the amount of \$27,326.22 respectively.

Resolution to Amend Budget – Purchase 2014 S570 T4 Bobcat Skid-Steer

WHEREAS, the Street Department has on order a new 2014 S570 T4 Bobcat Skid-Steer Purchase Order #680, from Clark Equipment, and;

WHEREAS, part of the purchase was covered by the sale of a 2013 S570 Bobcat Skid-Steer at auction; and

NOW, THEREFORE, BE IT RESOLVED, that the Clerk/Treasurer be, and hereby is, authorized to transfer the sum of \$4,559.80 from the Capital Equipment Reserve A231-200 to Expense Account AA.5110.200 Street Maintenance Equipment to cover the balance of the purchase price.

Resolution to Amend Budget – Purchase Ferris Zero Turn Mower

WHEREAS, the Parks Department purchased a new Ferris Zero Turn Mower from Briggs and Stratton Power Products for \$7,862.00; and

WHEREAS, the Parks Department sold a Ferris Mower at auction and received \$3,871.22; and

NOW, THEREFORE, BE IT RESOLVED, that the Clerk/Treasurer be, and hereby is, authorized to amend the 2013-14 Budget to increase Revenue Account AA.2665.000 Sale of Surplus and Expense Account AA.7180.200 Campground Equipment Account in the amount of \$3,871.22 respectively.

Resolution to Amend Budget – Purchase 2002 GMC Pickup

WHEREAS, the Cemetery Department purchased a 2002 GMC Pickup Truck from VanSkiver Motors; and

WHEREAS, the Cemetery Department sold a Ferris Mower at auction and received \$3,871.22; and

NOW, THEREFORE, BE IT RESOLVED, that the Clerk/Treasurer be, and hereby is, authorized to amend the 2013-14 Budget to increase Revenue Account AA.2665.000 Sale of Surplus and Expense Account AA.8810.200 Cemetery Equipment Account in the amount of \$3,871.22 respectively.

Village Insurance Approval

Trustee Anthony J Fraboni made the motion to approve the Insurance quote as provided by Sidle Insurance in the amount of \$156,277.59 for the 2014-2015 fiscal year. Trustee Scott D Gibson seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

BOARD CONCERNS/NEW BUSINESS

Trustee Smith requested that the Street Department put in some hot patch on the corner of 7th Street & Decatur Street where the road is sunk in. He then asked about the blankets on the bridge. Superintendent Perry stated that he would speak to Water Supervisor Harley Connelly about having them removed.

Clerk Beardsley inquired about going to one meeting a month in the summer. The Board decided to stick with the two meetings a month. She then inquired about the month of September stating that the first week was only a three day work week and that our auditors would be present that week. Mayor Swinnerton stated that the Board would address the matter in August.

EXECUTIVE SESSION (as needed)

Trustee Scott D Gibson made the motion to exit public session and enter executive session for four personnel matters, two contractual matters and one negotiation item at 9:38pm. Trustee Kevin J Smith seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

ADJOURNMENT

Trustee Kevin J Smith made the motion to leave executive session and re-enter public session at 10:48pm. Trustee Anthony J Fraboni seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

Trustee Scott D Gibson made the motion to approve extending the time limit for the noise ordinance to 12:00am for the Waterfront Festival, the July Fourth Event and the American Italian Festival. Trustee Kevin J Smith seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

With no further business to be brought before the Board, Trustee Anthony J Fraboni made the motion to adjourn at 10:49pm. Trustee Kevin J Smith seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

Respectfully Submitted,

Rhonda E Slater