

REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE  
VILLAGE OF WATKINS GLEN HELD MONDAY, JULY 18, 2016

**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 Kevin Thornton, Trustee Laurie DeNardo, Superintendent of Public Works Mark Specchio, Superintendent of Streets, Parks and Cemeteries Don Perry, Police Chief Thomas Struble, Village Clerk Donna Beardsley and Deputy Clerk/Treasurer Rhonda Slater. Also present were Sewer Treatment Plant Supervisor Terry Wilcox and Park Manager Michelle Hyde. Absent were Electric Supervisor Minard LaFever, Code Enforcement Officer Gregory Larnard and Water Supervisor Harley Connelly. There were ten other persons in attendance.

**PUBLIC HEARING LOCAL LAW #3 of 2016 – ZONING UPDATE**

Trustee Laurie DeNardo made the motion to open the public hearing for Proposed Local Law #3 of 2016 at 6:01pm. Trustee Gary Schmidt seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

Local residents Bonnie Specchio and Joyce Ferry were present to discuss their concerns with Article 930 of the newly proposed zoning update that deals with parking of recreational vehicles both on the public streets and on private property. After much discussion, the Board agreed to table the issue and have the Planning Board review the concerns brought forth.

Trustee Anthony Fraboni made the motion to close the public hearing and table the matter at 6:17pm. Trustee Gary Schmidt seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

**PUBLIC BE HEARD**

Judy Phillips was present to obtain permission to host the Watkins Glen Grand Prix Festival on Friday, September 9, 2016. The Board was in favor and requested that an event application be filled out.

Judy Phillips then discussed a parking issue on Tenth Street. She requested that the Board consider making the second block of Tenth Street a two hour parking zone during the day and also to have the intersection of Decatur Street and Tenth Street a four-way stop because of the high volume of people attending the State Park and parking in the first block of Tenth Street. The Board stated that they would review the matter.

Maureen Colunio then spoke and requested that the Board waive the \$250.00 vendor fee for her if she donates a movie screen to Clute Park. The Mayor stated that the Board would discuss the matter.

**APPROVAL OF MINUTES**

**Minutes for Regular Meeting June 20, 2016**

Trustee Laurie DeNardo made the motion to approve the minutes for the regular meeting of the Board of Trustees held on June 20, 2016. Trustee Anthony Fraboni seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

**Minutes for Special Meeting June 29, 2016**

Trustee Laurie DeNardo made the motion to approve the minutes for the special meeting minutes from June 29, 2016. Trustee Anthony Fraboni seconded the motion. The Board then voted on the motion to approve. The vote was as follows:

Ayes: Trustee Laurie DeNardo, Trustee Anthony Fraboni, Trustee Gary Schmidt

Nays: None

Abstains: Trustee Kevin Thornton      Motion Carried.

**REPORTS**

**Parks Report June 17 - July 14, 2016; Street Report June 13 - July 14, 2016; Codes Report June 20 - July 15, 2016; Water Report period ending July 15, 2016; Sewer Report June 19 - July 18, 2016; Electric report June 20 - July 15, 2016; Superintendent's Projects June 18 - July 15, 2016; Police Report June 2106**

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

Sewer Supervisor Terry Wilcox informed the Board that his department, along with aid from the Street Department, will start digging on Porter Street tomorrow in an attempt to fix the sanitary sewer in that location.

Park Manager Michelle Hyde stated that Clute Park has been the busiest it has been in 20 years, thanks to the warm, sunny weather. The Board asked if the park was ready for the Wednesday night Movies in the Park event. Cargill has scheduled a power outage that will also affect Clute Park. Park Manager Hyde responded that they have generators being brought in and should be good to go. Superintendent Don Perry stated that everything is moving along well in his department. They are even ahead of schedule on a few items because of the weather. His department will be helping the Water Department with a project on Third Street and the Sewer Department with their project on Porter Street. Police Chief Tom Struble commented that penal law arrests are up this month, but parking enforcement is going well. He also had a quote from Traffic Logix for a portable, battery operated radar speed sign. The cost would be \$2,599.00. The Board was in favor of purchasing the device. Police Chief Struble will submit a material requisition for the speed sign for the Mayor to sign. The Board then briefly discussed the traffic flow on Franklin Street. Superintendent Mark Specchio informed the Board that Electric Department Supervisor Minard LaFever and he would be leaving tomorrow morning for Wisconsin to inspect the new bucket truck prior to it being painted. The truck should arrive in two months. Superintendent Mark Specchio then publicly thanked everyone for their assistance with the grant application work, even though the funding went to the City of Elmira. Lastly, Mayor Samuel Schimizzi asked about the procedures for conducting a block party. He was told that the person(s) hosting the event would need to fill out an event application.

**VOTING ITEMS**

**Sewer Credits**

Trustee Gary Schmidt made the motion to approve the following sewer credit requests for pool fillings and a broken pipe. Trustee Laurie DeNardo seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

Acct #	Name	Readings		# of Units	Credit Requested
C0320	Lance VanAlstine	17548.0	17677.0	6	\$31.50
		17982.0	18069.0		
		18149.0	18311.0		
		18327.0	18382.0		
B1200	John Vona	31552.0	31657.0	1	\$5.25
H2150	Ronald Cervoni	26935.0	27922.0	13	\$68.25
E0130	Ed Augustine	37519.0	37540.0	1	\$5.25
		37184.0	37211.0		
H1360	Bridgette Searles	38939.0	39042.0	1	\$5.25
H1490	Ryan VanHorn	32789.0	33468.0	9	\$47.25
D0580	Linda Gregory	14527.0	14713.0	2	\$10.50
D1840	Wayne Weber	26135.0	26592.0	6	\$31.50
			additional usage, water leak	4	\$21.00
H0250	Alyce Stratton	43926.0	44286.0	5	\$26.25
D0610	Paula Chamberlain	11323.0	11594.0	2	\$10.50 (revert to min)
D0520	Joe Orbin	27675.0	27822.0	12	\$63.00
		27827.0	27989.0		
		27980.0	28074.0		
		28089.0	28188.0		
		28231.0	28371.0		
		28387.0	28506.0		
G0210	David Symes	28545.0	28703.0	5	\$26.25
		38449.0	38813.0		
E0250	Greg Andrews	<b>Pool Size</b>	<b># of Units</b>		
		3,000 gals	4		\$21.00
		<b>Readings</b>			
		<b>12 mo Ave</b>	<b>Current</b>	<b># of Units</b>	
A0550	Parrothead Realty (broken pipe)	3		9	\$47.25
				80	\$420.00

**Sewer Agreement - Franzese**

Trustee Anthony Fraboni made the motion to approve the following sewer agreement between the Village of Watkins Glen and V & L Companies, LLC, V & L Development, LLC. Trustee Laurie DeNardo seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

**THIS AGREEMENT**, dated the \_\_\_ day of \_\_\_\_\_, 2016, between the VILLAGE OF WATKINS GLEN, a municipal corporation having offices at 303 North Franklin Street, Watkins Glen, New York 14891 (hereinafter referred to as the “Village” ), and V & L COMPANIES, LLC, V & L DEVELOPMENT, LLC (doing business as the Glen Motor Inn) with offices located at 3380 State Route 14, Watkins Glen, NY 14891 (hereinafter referred to as “GMI”).

**WITNESSETH:**

**WHEREAS**, GMI owns through its various companies the following 8 properties in the Town of Reading, known as tax map numbers 53.20-1-8, 53.00-1-29.1, 53.00-1-12.27, 53.00-1-12.31, 53.20-1-12, 53.00-1-27, 53.20-1-9, 53.20-1-13; and

**WHEREAS**, the Village has historically provided sewer hookups and wastewater treatment to certain residents and businesses located in the Town of Reading, outside the Village limits, that is measured by water usage(the “Village Wastewater Treatment System”); and

**WHEREAS**, by agreement dated January 13, 2014 between the Town and the Village, the Village assumed the responsibility for billing Town residents and businesses located outside the Village limits, for usage of the Village Wastewater Treatment System, effective July 1, 2014; and

**WHEREAS**, the Village also operates a water supply system that services Village residents and businesses, and also services residences and businesses located in the Town that are outside the Village limits (the “Village Water System”); and

**WHEREAS**, the owners of residences and businesses who are serviced by the Village Wastewater Treatment System are billed for usage thereof based on water usage as measured by meters that are required to be installed by each owner, that are read on a regular basis by the Village; and

**WHEREAS**, GMI built and maintains a wholly separate and private water system (GMI Water System) that provides water to GMI and its supporting facilities, the Watkins Golf Course (Clubhouse), Greg Coon (Coon) whose address is on State Route 14 Watkins Glen, New York 14891 and Patrick & Barbara Franzese (Franzese) whose address is 3336 State Route 14, Watkins Glen, New York 14891; and

**WHEREAS**, GMI has been billed by the Village on an estimated basis for the use of the Village Wastewater Treatment System from July 1, 2014 to date, as previously there was not a water meter installed to monitor the total water usage at the motel; and

**WHEREAS**, GMI has made no payments to the Village for usage of the Village Wastewater Treatment System since the Village has been billing for wastewater treatment; and

**WHEREAS**, the Village has billed GMI the amount of \$16,059.20, for usage of the Village’s Wastewater Treatment System for the period July 1, 2014, to May 6, 2016, based on monthly billing statements; and

**WHEREAS**, GMI disputes the amount of the billings from the Village based on its own estimate of water usage and through NYSDOH reports that are submitted by GMI on a regular basis; and

**WHEREAS**, GMI and the Village desire to enter into an agreement to resolve past amounts due on the billing that are disputed and also set new billing procedures and the amounts to be billed going forward.

**NOW, THEREFORE**, the parties hereby agree:

1. GMI certifies that as of May 6, 2016, a Village supplied meter was installed to monitor water pumping at the GMI Water System meter in order to meet the Village meter reading requirements.
2. The new water meter will be read by the Village water meter department and GMI on or about the 15<sup>th</sup> day of each and every month, over a 12 month period starting June 15, 2016, and monthly readings will be provided to GMI on its monthly billing statement.
3. From and after May 7, 2016, GMI agrees to pay the Village for usage of the Village’s Wastewater Treatment System, in an amount that is based on water usage as measured by actual water meter readings, giving credit for metered usage billed to the Clubhouse, Coon and Franzese.
4. GMI will pay a lump sum to the Village in the amount of \$5,647.81 upon the execution of this agreement, which is based upon an adjusted charge of \$254.48 per month (subject to review as provided herein) for the usage by GMI for the period July 1, 2014, to May 6, 2016.
5. On or about June 1, 2017, the Village will provide GMI with water meter readings showing usage for the period May 7, 2016, through May 6, 2017, and GMI will pay the Village or be credited by the Village in an amount by which the metered water usage differs from the estimates of usage for the period July 1, 2014, through May 6, 2016.

### Loan Resolution

Trustee Anthony Fraboni made the motion to approve the attached loan resolution in conjunction with Rural Development for the issuance of bonds in the principal amount of \$1.510 million. Trustee Gary Schmidt seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

### Barton & Loguidice – Contract Amendment #7 Joint WWTP

Trustee Fraboni made the motion to approve Amendment #7 to the Professional Services for the Watkins-Montour Regional Wastewater Treatment Facility agreement dated August 21, 2014 which would increase the total compensation by \$10,000, a contribution increase of \$7,000 for the Village of Watkins Glen. Trustee Laurie DeNardo seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

The above-referenced Agreement between Owner and Engineer is amended to include the changes set forth below. The Agreement referenced above, including any amendments or revisions thereto previously agreed to in writing between Owner and Engineer, remains in full force and effect except as modified herein.

1. Change in Scope of Services to be Performed
  - a. Amendment No 5 – Pre-select Services
    - i. Fee for pre-select services as listed in Amendment No 5 were estimated to range from \$20,000 to \$25,000. An amount of \$20,000 was authorized. Actual services have exceeded \$25,000. B&L is requesting an increase in compensation of \$5,000 to help offset actual expenditures.
    - ii. Client has requested that the tertiary filters be rebid. B&L is assisting with the filter rebid, and the cost of these services is estimated to be \$5,000.
  - b. B&L respectfully requests that the pre-select services outlined herein and in Amendment No 5 be increased from a total lump sum amount of \$20,000 to \$30,000.
2. Change in Compensation for Services
  - a. Total additional compensation for the services described above shall be in the lump sum amount of Ten Thousand Dollars (\$10,000), which shall be in addition to any payment amount(s) previously agreed to in writing between Owner and Engineer for this Project.
  - b. Owner's method of payment to Engineer shall be as set forth in the Agreement referenced above.
  - c. The above fee modification results in a net increase of \$10,000. The prior Amended Amount (including Amendment No 6) was \$1,640,000. Therefore, this Amendment increases the total authorized amount to \$1,650,000.
3. Total Agreement
  - a. This Amendment, along with the original Agreement and any other duly executed amendments previous to this Amendment, constitutes the entire agreement between Owner and Engineer for this Project; it supersedes all prior written or oral understandings and may only be amended, supplemented, modified, or canceled by a duly executed written instrument.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment to the above referenced Agreement as of the latest day and year set forth below.

### Resolution to Award Bid – Sanitary Sewer Rehabilitation

The following resolution was approved with a motion by Trustee Anthony Fraboni and a second by Trustee Laurie DeNardo. The Board then voted on the motion to approve and all were in favor. Motion Carried.

WHEREAS, the Village of Watkins Glen(Village) is the owner of the Watkins Glen Sanitary Sewer System Rehabilitation Project(“Project”); and

WHEREAS, pursuant to New York State Municipal Law, bids for the project were received, publicly opened and read aloud on June 22, 2016 at the Village of Watkins Glen Village Offices, 303 N. Franklin Street, Watkins Glen, New York 14891; and;

WHEREAS, the Village's Engineering Consultant, Barton & Loguidice, D.P.C. (B&L), tabulated and analyzed the bids received, and by letter dated June 27, 2016, has recommended award of the Base Bid, Additive Bid No. 1, and Add Alternate Bid No. 1 for the Project.

NOW, THEREFORE, BE IT RESOLVED, that based on the recommendation of B&L, the Village Board Members hereby award the Contract for the Watkins Glen Sanitary Sewer System Rehabilitation Project to Grant Street Construction Co., Inc., in the amount of \$1,104,000.00 for the Base Bid, Additive Bid No. 1, and Add Alternate Bid No. 1.

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

#### [Resolution to Award Bid – Filter Manufacturer Bids Joint WWTP](#)

Trustee Anthony Fraboni made the motion to approve the following resolution awarding the filter manufacturer bids. Trustee Gary Schmidt seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

WHEREAS, bids for filter equipment for the Joint Wastewater Treatment Plant were opened on July 11, 2016; and

WHEREAS, said bids have been reviewed and evaluated by Barton & Loguidice. Based on the recommendation of Barton and Loguidice the lowest total cost of ownership, therefore representing the best value to the Villages, was from Aqua Aerobic Systems, Inc.

NOW, THEREFORE, BE IT RESOLVED, that the Village of Watkins Glen Board of Trustees do hereby award the filter equipment for the Joint Wastewater Treatment Plant bid to Aqua Aerobic systems, Inc.

#### [Resolution Grant Funds – Project Seneca](#)

Trustee Anthony Fraboni made the motion to approve the resolution to authorize the application for grant funds for the Project Seneca plan refinement. Trustee Laurie DeNardo seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried

WHEREAS: The Village of Watkins Glen is committed to securing funding to further the priority projects identified by the Village's Local Waterfront Revitalization Plan (LWRP); and

WHEREAS: The enhancement of Clute Park and the Queen Catharine marsh have been identified as catalytic projects through the LWRP process; and

WHEREAS: Funds are available to support a feasibility study through the 2016 New York State Consolidated Funding Application through the Department of State's Government Efficiency Program and the Local Waterfront Revitalization Funds to support such activities; and

WHEREAS: The Village of Watkins Glen is aware of the match required by these funding sources and agrees to provide the funding and the oversight to execute the grant according to the timeline outlined in the application in collaboration with Schuyler County, the Village of Montour Falls and Schuyler County Partnership for Economic Development (SCOPEd); and

WHEREAS: The Village of Watkins Glen values inter-municipal collaborations and supports regional economic development and planning efforts and believes this grant provides an excellent opportunity to capitalize on each municipalities' assets to grow our region's economy;

WHEREAS: The Village is committed to creating a cross sector committee to advance the findings from the Feasibility Study and to make the investment from New York State worthwhile and sustainable.

NOW THEREFORE, BE IT RESOLVED: That the Village of Watkins Glen Board of Trustees hereby authorizes and directs Mayor Samuel Schimizzi to apply for funds through the Empire State Development and the Department of State's 2016 Consolidated Fund for the Project Seneca Plan Refinement and to further execute any additional documents or paperwork required to go along with said application.

#### [Resolution Grant Funds – Clute Park](#)

Trustee Fraboni made the motion to approve the resolution to authorize the application for grant funds for the parks and recreation improvements at Clute Park. Trustee Gary Schmidt seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried

WHEREAS: The Village of Watkins Glen has a strong history of working with the Department of State, EFC, and ESD to revitalize the Seneca Lake waterfront; and

WHEREAS: The Village of Watkins Glen is committed to providing access to the waterfront for the general population with special emphasis on underprivileged populations and Clute Park is integral to the community; and

WHEREAS: Clute Park is used by the ARC of Schuyler for recreational purposes, the Southern Tier Food Bank for food distribution and a kids farmers market, and is used for Camp Star which is a camp for children with disabilities held annually; and

WHEREAS: The enhancement of Clute Park and amenities in the Lakeside Park have been



identified as a catalytic project and have been included in the Village Local Waterfront Redevelopment Plan (LWRP), Village Comprehensive Plan, and Project Seneca; and

WHEREAS: Funds are available to support the expansion and reconstruction of the public restrooms and life guard stands through the 2016 New York State Consolidated Funding Application through the Department of Parks and Recreation Funds to support such activities; and

WHEREAS: The Village of Watkins Glen is aware of the match required by these funding sources and agrees to provide the funding and the oversight to execute the grant according to the timeline outlined in the application in collaboration with the Schuyler County Partnership for Economic Development (SCOPED); and

NOW THEREFORE, BE IT RESOLVED: That the Village of Watkins Glen Board of Trustees do hereby authorize Mayor Samuel Schimizzi to apply for funds through the NYS Department of Parks and Recreation and to execute any necessary paperwork to accompany the said application.

#### [Resolution Supporting Main Street Program](#)

Trustee Fraboni made the motion to approve the following resolution supporting the renewal of funding under the New York Main Street Program. Trustee Laurie DeNardo seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried

WHEREAS, the Schuyler County Partnership for Economic Development desires to apply for \$500,000 in financial assistance through the 2016 Consolidated Funding Application (CFA) under the New York Main Street Program; and

WHEREAS, the application proposes funding to assist property owners to complete building renovations to downtown “main street” buildings on Franklin Street between Cross Street and Ninth Street; and

WHEREAS, the proposed funding will contribute to ongoing community revitalization efforts; and assist business owners on the main street to make improvements to their businesses which will positively affect the community as a whole; and

WHEREAS, the grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality in which the project will be located.

NOW, THEREFORE, BE IT RESOLVED, that the Village of Watkins Glen Board of Trustees approves and endorses the 2016 New York Main Street Program for assistance prepared and to be submitted by Schuyler County Partnership for Economic Development.

#### [CONFERENCE REQUESTS](#)

Trustee Laurie DeNardo made the motion to approve Minard LaFever to attend the 86<sup>th</sup> Annual MEUA Conference in Ellicottville, NY from August 30 – September 2, 2016 at a cost of \$796.06. Trustee Gary Schmidt seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

Trustee Laurie DeNardo then made the motion to approve the following resolution designating Minard LaFever as the Village’s Delegate to the 86<sup>th</sup> Annual MEUA Conference. Trustee Gary Schmidt seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried

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

WHEREAS, The 86<sup>th</sup> Annual Meeting of the Municipal Electric Utilities Association of New York State has been called on August 30 – September 2, 2016 to be held at the Holiday Valley, Ellicottville, New York; and

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.

**AUDIT w/ add-ons**

Trustee Laurie DeNardo made the motion to approve the audit with the add-ons in the following amounts. Trustee Kevin Thornton seconded the motion.

General	\$106,007.73	Sewer	\$16,889.59
Electric	\$155,202.49	Water	\$18,453.42
Project Seneca	\$220,627.20	Capital Projects – Sewer	\$21,641.80
Capital Projects – Parks	\$42,979.74		

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

**BOARD CONCERNS**

Trustee Laurie DeNardo inquired about the recycling pickup. An update on the situation was given to the Board by Clerk Donna Beardsley. The Board then discussed the recycling issue at Jefferson Village. The Board stated that as long as Jefferson Village has their recycling out at the curbside by 7am on recycling day, their recycle materials will be picked up.

Trustee Laurie DeNardo then informed the Board that she received another complaint about the top soil on Fifteenth Street. She further stated that the matter has been taken care of.

Trustee Anthony Fraboni had one Water Department personnel matter for executive session. Trustee Laurie DeNardo had one negotiations item for executive session. Mayor Samuel Schimizzi had one police matter for executive session.

**EXECUTIVE SESSION**

Trustee Laurie DeNardo made the motion to exit public session and enter executive session at 7:57pm. Trustee Gary Schmidt seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

**ADJOURNMENT**

With no further business to come before the Board, Trustee Anthony Fraboni made the motion to end executive session and adjourn the meeting at 8:25pm. Trustee Kevin Thornton seconded the motion. The Board then voted on the motion and all were in favor. Motion Carried.

Meeting Adjourned.

Respectively Submitted,

Rhonda E Slater