

REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE  
VILLAGE OF WATKINS GLEN HELD MONDAY, OCTOBER 19, 2015

**PLEDGE OF ALLEGIANCE**

The public session of the meeting was called to order at 7:00pm by Mayor Samuel Schimizi who led the assembled in the pledge of allegiance. Present were Mayor Samuel Schimizi, Trustee Gary Schmidt, Trustee Anthony Fraboni, Trustee Kevin Thornton, Trustee Laurie DeNardo, Superintendent of Streets, Parks and Cemeteries Don Perry, Superintendent of Public Works Mark Specchio, Police Chief Thomas Struble, Clerk/Treasurer Donna Beardsley, Senior Account Clerk/Typist Rhonda Slater. Also present were Code Enforcement Officer Gregory Larnard and Park Manager Michelle Hyde. Absent were Electric Supervisor Minard LaFever, Sewer Treatment Plant Supervisor Terry Wilcox, and Water Supervisor Harley Connelly. There were five others in attendance.

**PUBLIC BE HEARD**

Kyle Teeter and Cade Ormsbee were present to officially ask permission to hunt on the Village property located behind Lakeview Cemetery. Discussion followed. The Board's biggest concern is liability. The request was denied.

**APPROVAL OF MINUTES**

**Minutes for Regular Meeting October 5, 2015**

Trustee Kevin Thornton made the motion to approve the minutes for the regular Board meeting held on October 5, 2015. Trustee Laurie DeNardo seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

**REPORTS**

Trustee Laurie Denardo 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.

**Parks Report October 3 – 16, 2015**

Park Manager Michelle Hyde informed the Board that the park is now closed for the season and that Willard is helping with the removal of the docks and storage of the picnic tables. She also stated that the skate program started last Friday, with fewer people in attendance.

**Streets Report September 14 – October 14, 2105**

Street Superintendent Don Perry commented that he received a few complaints about the street paving, but that he feels the streets turned out well. Trustee Anthony Fraboni asked if the Superintendent had a plan of action for leaf cleanup. Superintendent Don Perry responded that residents should be bagging them up now. Once more leaves fall, the Street Department will put out a codeRed alert letting residents know when they will be coming by with the leaf machine. Mayor Samuel Schimizi then asked about the streetlights for Franklin Street. Superintendent Mark Specchio replied that the lights still have not come in yet.

**Codes Report October 5 – 16, 2015**

Code Enforcement Officer Gregory Larnard updated the Board on several projects around town. He stated that he could arrange a tour of the old middle school as the project is nearing completion. The target date for completion is December 2015/January 2016. The Board also discussed the Frozen Food Locker project, which will be starting the asbestos abatement part of the project. Once this is completed demolition and rebuilding will begin. Trustee Laurie DeNardo commented that she had spoken to one of the owners of the property about kids she saw going in there over the weekend. Police Chief Thomas Struble stated that they are aware of the issue, which has become an ongoing problem. The police are patrolling the area. Lastly, the Board discussed the dumpster in front of Lucky Star. CEO Gregory Larnard stated that the dumpster is in compliance with the zoning law/regulations. The matter is being discussed by the Planning Board for an enclosure.

**Water Report**

There was no written water report presented. Superintendent Mark Specchio discussed an issue with a fire hydrant in the alley near Community Bank that has been hit repeatedly. The Village would like to eliminate this hydrant and are waiting for input from the Fire Department. Trustee Anthony Fraboni asked about the NYS DOL violations. Superintendent Mark Specchio responded that everything has been corrected except a door that needs to be addressed at the Water Works Building.

**Sewer Report October 3 – 16, 2015**

Superintendent Mark Specchio informed the Board that Sewage Treatment Plant Supervisor Terry Wilcox and himself have been visiting various plants and are working on designs for the new joint wastewater treatment plant. He further stated that things are running smoothly at the current plant.

[Electric Report October 5-16, 2015](#)

Superintendent Mark Specchio presented a material requisition for a new bucket truck for the Electric Department at a cost of \$226,663.67. The lead time for the truck will be approximately nine months, with no payments needed until completion/delivery of said truck.

[Superintendent's Report October 5 – 15, 2015](#)

There were no concerns.

**VOTING ITEMS**

**Terminable Easement – 127 S Monroe St**

Trustee Anthony Fraboni made the motion to approve the following terminable easement. Trustee Laurie DeNardo seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

THIS AGREEMENT, made on October ---, 2015, between DAVID A GREENLEAF, residing at 127 South Monroe Street, in the Village of Watkins Glen, New York 14891, hereinafter referred to as “Grantee”, and the VILLAGE OF WATKINS GLEN, acting through its BOARD OF TRUSTEES, a Municipal Corporation having offices as 303 North Franklin Street, Watkins Glen, New York 14891, hereinafter referred to as “Grantor and/or Village”.

WITNESSETH

WHEREAS, Grantee is the owner of premises described as 127 South Monroe Street in the Village of Watkins Glen, being a 0.539 acre lot improved with a single family residence fronting on South Monroe Street and a garage fronting on Jackson Street in said Village; and

WHEREAS, the Village is the owner of a public right-of-way existing in and along Jackson Street, and specifically adjoining the premises known as 127 South Monroe Street; and

WHEREAS, the garage on the property of Grantee (hereinafter the “Structure”) encroaches up to 5.5 feet on Jackson Street in the Village right-of-way as more specifically shown on a map of lands prepared by Twin Tiers Land Surveying, dated September 14, 2015, a copy of which is annexed hereto; and

WHEREAS, the parties desire to set forth in writing their agreement with reference to the said encroachment;

NOW, THEREFORE, inconsideration of one dollar (\$1.00) and other good and lawful consideration, receipt of which is hereby acknowledged, the parties agree as follows:

1. Wherever the Structure now stands, encroaches or overlaps the right-of-way in and to Jackson Street, the Trustees of the Village consent that the same may remain in its present location as long as it stands, subject to the limitations and conditions set forth below.
2. The use of the Structure which now encroaches upon the Village right-of-way does not and shall never ripen into nor become a right to use any portion of the right-of-way, but is and shall continue to be only a use by sufferance of the portion only of the right-of-way covered by said encroachment.
3. The use granted hereby shall be terminated by the destruction or removal of the Structure, or by the condemnation of the Structure as an unsafe building by an competent authority. However, the owner of the property at 127 South Monroe Street may repair or maintain the Structure, except that the cost of such repair may not exceed 50% of the assessed value of the Structure.
4. Any Damages incurred by Grantee, his heirs and assigns, to the Structure resulting from appropriate, reasonable and dutiful exercise of the public right-of-way, including, but not limited to, snow removal, grading, maintenance and street repairs and improvements, shall be borne by Grantee, his heirs and assigns, and Grantee hereby agrees to indemnify and hold harmless the Village of Watkins Glen therefrom.
5. Any damages caused by the existence or use of the Structure by any person shall be the sole responsibility of Grantee, or his heirs and assigns, and Grantee hereby agrees to indemnify and hold harmless the Village of Watkins Glen therefrom.
6. This agreement and all its terms, covenants and conditions shall be binding upon, and ensure to the benefit of, the parties hereto, their heirs, successors and assigns. This shall be deemed an agreement running with the land.

IN WITNESS WHEREOF, the parties have set their hand on the day and year written above.

### Engineering Services – Project Seneca Regional WWTP

Greg Cummings, with Larson Design Group was present to discuss the scope of work for engineering services for a third party review of the Project Seneca Regional Wastewater Treatment Plant and collection/conveyance system upgrades. Trustee Anthony Fraboni made the motion to approve hiring Larson Design Group as a third party review for a sum not to exceed \$62,800. Trustee Laurie DeNardo seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

### Sewer Credit Requests (4)

Trustee Anthony Fraboni made the motion to approve sewer credit requests for James Frost of 114 Twelfth Street for \$13.77 for pressure washing his home, David Novinsky of 3285 Reading Road for \$197.12 for a hose that was left on for two days, Paul Gillette of 135 Durland Ave for \$41.31 for watering his newly reseeded lawn and the Town of Dix on behalf of Marcia Woodard, property owner of 3315 Wedgewood Road, for \$36.95 for a leaking pipe. Trustee Laurie DeNardo seconded the motion. The Board then voted on the motion to approve and all were in favor.

### 2015 Sub Skate Staff Request

Trustee Laurie DeNardo made the motion to approve hiring Emily Byers, Catherine Craven, Jesika Craven Breeana Bentley and Ethan Fellwock as substitute skate staff for the 2015-2016 skate program season. The rate of pay will be \$10/hr. Trustee Gary Schmidt seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

### Surplus Vehicle Request

Trustee Anthony Fraboni made the motion to declare the Police Department's 2004 Dodge Stratus and a 500 gallon aluminum tank from the Street Department surplus. The items will be going to the auction in November. Trustee Kevin Thornton seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

### Health Insurance for 2016

Trustee Kevin Thornton made the motion to change the health insurance policy from Platinum 3 to Gold 6 for the 2016 calendar year for management, retirees and the Electric Department employees. Trustee Gary Schmidt seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

### CONFERENCE REQUESTS

There were no conference requests.

### AUDIT

Trustee Anthony Fraboni made the motion to approve the audit, with the add-ons for Barton & Loguidice and Municipal Solutions, in the following amounts. Trustee Laurie DeNardo seconded the motion.

General	\$32,636.91	Sewer	\$4,284.07
Electric	\$149,979.63	Water	\$2,065.87
Project Seneca	\$317,535.61		

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

### BOARD CONCERNS/NEW BUSINESS

Trustee Anthony Fraboni requested that budget worksheets accompany the audit so the Board can review them.

Clerk Donna Beardsley reminded the Board members that there will be a meeting with the auditors on November 16, 2015 at 6pm. She then asked about the meeting with the Town of Reading. The Board requested to see if it could be scheduled on October 28, 2015 at 4:30pm since most of them would be unable to attend on October 21, 2015. Clerk Donna Beardsley then informed the Board that she would be presenting a proposed Local Law to change the water rates at the next Board meeting to be held on November 2, 2015. The water budget for 2015-2016 will also be available for review. She then had two contractual matters for executive session.

Trustee Laurie DeNardo had one executive session matter. She then inquired about the holiday party for the Village. The Board set a date of Saturday, December 5, 2015 for the party, with the location to be determined. Trustee Laura DeNardo then asked if the Board wanted to have Park Manager Michelle Hyde and herself continue to look into winter storage for boats. An inquiry was brought to them from Glen Harbor Marina to lease part of the park to store boats. The Board gave their approval for them to speak with Glen Harbor Marina about the matter.

## EXECUTIVE SESSION

Trustee Laurie DeNardo made the motion to exit public session and enter executive session at 8:25pm. Trustee Gary Schmidt seconded the motion. The Board then voted on 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 exit executive session and adjourn at 9:21pm. 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