



REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF WATKINS GLEN HELD TUESDAY, SEPTEMBER 1, 2020

PLEDGE OF ALLEGIANCE

The public session of the meeting was called to order at 6:00 pm by Mayor Luke Leszyk. Present were Mayor Luke Leszyk, Deputy Mayor Louie Perazzini, Trustee Anthony Fraboni, Trustee Nan Woodworth, Trustee Laurie DeNardo, Superintendent Terry Wilcox, Village Clerk Lonnie Childs, and Treasurer Rhonda Slater. Also present was Sergeant-in-Charge Ethan Mosher, Code Enforcement Officer Darrin Stocum, Water Operator-in-Charge Martin Pierce and Electric Supervisor Minard LaFever. There were approximately four other persons in attendance.

PUBLIC HEARING

Proposed Electric Rate Increase

Deputy Mayor Louie Perazzini made the motion to open the public hearing at 6:01 pm on the proposed electric rate increases. Trustee Nan Woodworth seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

Tony Compose was present to inquire as to why the Village was considering raising electric rates. Mayor Luke Leszyk responded that the rates were determined by the New York Power Authority, our governing agent, during a multi-year rate study with the last time they were raised being in 2004. He further commented that the Village should learn from the lessons of the past with the new wastewater treatment plant where rates were not increased gradually, resulting in a high rate increase now that the bonds are coming due. It was also commented that although the rates may be approved by the Village Board now, the rate increases will not occur until sometime next year when the state of emergency is lifted.

PUBLIC BE HEARD

Mayor Luke Leszyk reminded the Board and the general public that this would be Anthony Fraboni's last meeting as a Village Trustee. The Village elections will be held on September 15, 2020 and he is stepping down from his position.

Paula Jerzak submitted a letter to the Board of Trustees requesting temporary no parking signs be erected on the west side of Porter Street as the street has become overly congested with the construction of the multi-dwelling Ithaca Housing Development building project on Second Street. The Board will look into the matter.

APPROVAL OF MINUTES

Minutes for Regular Meeting August 18, 2020

Trustee Anthony Fraboni made the motion to approve the minutes for the Regular Board of Trustees meeting held on August 18, 2020. Trustee Laurie DeNardo seconded the motion. The Board then voted on the motion and all were in favor. Motion Carried.

DEPARTMENT REPORTS

Trustee Nan Woodworth made the motion to approve the department heads reports. Trustee Laurie DeNardo seconded the motion. The Board then voted on the motion and all were in favor. Motion Carried.

VOTING ITEMS

Resolution – Water System Improvements Project (Type I and Lead Agency)

Trustee Laurie DeNardo made the motion to approve the following resolution and to allow the Mayor to sign the EAF part 3. 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 Board recognizes the proposed Water System Improvements Project located in the Village of Watkins Glen, New York (the proposed “Action”) as a Type I Action under the provisions of 6NYCRR Part 617; and

WHEREAS, The Village of Watkins Glen Board recognizes the need to act as Lead Agency for the purposes of conducting a review of the Action under the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, a Full Environmental Assessment Form (Parts 1, 2, and 3) (“EAF”) submitted to and reviewed by the Village of Watkins Glen Board identified Involved and Interested Agencies under SEQRA; and

WHEREAS, pursuant to 6NYCRR Part 617.6, the Village of Watkins Glen’s engineering consultant, Larson Design Group, forwarded the EAF with a letter and supplemental information document to the Involved and Interested Agencies on July 23, 2020, advising the agencies of the Village Board’s intention to serve as Lead Agency for review of the proposed Action; and

WHEREAS, no Agency has objected to the designation of the Village of Watkins Glen Board as the Lead Agency for this Action; and

WHEREAS, the Village of Watkins Glen Board has now received and reviewed Parts 1, 2, and 3 of the EAF for the proposed action and all supporting documentation appended thereto; and

WHEREAS, the Village of Watkins Glen has thoroughly analyzed the identified areas of environmental concern to determine whether the proposed Action may have a significant effect upon the environment; and

WHEREAS, the Village of Watkins Glen has reviewed the criteria for determining significance specified in 6NYCRR Part 617.7 in order to ascertain whether the proposed Action will result in any significant adverse environmental impacts; and

WHEREAS, the Village of Watkins Glen Board has weighed the relevant identified environmental impacts of the proposed Action and all facts and conclusions presented in the FEAF and SEQR records, and concludes that the proposed Action’s environmental impacts are avoided or minimized to the maximum extent possible and that the proposed Action will produce no significant adverse environmental impacts; and has therefore recommended that a Notice of Determination of No Significant Impact (“DONSI”) be adopted; now therefore, be it

RESOLVED, that the Village of Watkins Glen Board, as the designated Lead Agency for the environmental review of the proposed Action, after consideration of the full SEQR record does hereby adopt this Notice of DONSI for the proposed Action; and be it further

RESOLVED, that the Mayor of the Village of Watkins Glen is hereby authorized and empowered to complete and sign the EAF for the proposed Action in accordance with the intent of this Resolution; and be it further

RESOLVED, that the Notice of DONSI which is attached hereto be submitted for publication by the Village Clerk as provided in 6NYCRR Part 617.12; and be it further

RESOLVED, that the Clerk of the Village of Watkins Glen shall and hereby is directed to forward

copies of this Resolution and the Notice of DONSI to all Interested and Involved Agencies (United States Army Corps of Engineers – Buffalo District Regulatory Division, New York State Department of Environmental Conservation Region 8, New York State Department of Transportation Region 6, New York State Historic Preservation Office, New York State Environmental Facilities Corporation, New York State Office of Homes and Community Renewal, New York State Department of Health, the Schuyler County Department of Public Works, Schuyler County Planning Department, and the NYS Rural Development – Local Office), and that the full SEQR record shall be filed in the Village Office.

[Resolution – Annexation of 710 West Second St](#)

Deputy Mayor Louie Perazzini made the motion to approve the following resolution annexing 710 West Second Street into the Village of Watkins Glen. Trustee Anthony Fraboni seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

WHEREAS, the Board of Trustees of the Village of Watkins Glen (the “Village Board”) and the Town Board of the Town of Dix (the “Town Board”) have received a request that certain property (the “Property”) situated in the Town of Dix be annexed by the Village of Watkins Glen; and

WHEREAS, the Property is described as tax parcels 64.00-3-20 and 64.00-3-8.115; and

WHEREAS, by joint resolution adopted December 9, 2019 by the Town Board and the Village Board, the Town Board and the Village Board (together, the “Boards”) resolved to proceed with such annexation; and

WHEREAS, in furtherance thereof, the Boards caused a hearing pursuant to General Municipal Law section 705 to be scheduled (the “Hearing”) on December 9, 2019; and

WHEREAS, notice of the Hearing was published, delivered and posted as required pursuant to General Municipal Law Section 704; and

WHEREAS, the Hearing was conducted on December 9, 2019; and

WHEREAS, the Boards desire to adopt this Resolution to approve and complete the annexation of the Property by the Village of Watkins Glen pursuant to Article 17 of the General Municipal Law.

NOW, THEREFORE, BE IT RESOLVED, that the above recitals are hereby adopted by the Village Board as findings of the Village Board; and further

RESOLVED, that the Village Board finds as follows:

1. The joint resolution of the Boards complies with the provisions of General Municipal Law Article 17.
2. It is in the overall public interest to approve the annexation of the Property.
3. The findings of the Village Board have incorporated the provisions of subdivision one of section 707 of the General Municipal Law, there being no rights or property of the sort described in such subdivision that is part of or appurtenant to the Property.

AND FURTHER RESOLVED, that the annexation of the Property by the Village of Watkins Glen is approved.

Resolution – MEUA Annual Conference Delegate

Trustee Anthony Fraboni made the motion to approve the following resolution designating the Village of Watkins Glen's delegate to the MEUA annual conference. Trustee Nan Woodworth 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 Annual Conference of the Municipal Electric Utilities Association of New York State has been called on September 17, 2020, to be held via virtual meeting 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.

Terminable Easement – Rusty's Tavern Inc (110-112 N Franklin St)

Trustee Laurie DeNardo made the motion to approve the following terminable easement for Rusty's Tavern, Inc to Julie M Krause. Trustee Nan Woodworth seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

THIS AGREEMENT, made on _____, 2020, between RUSTY'S TAVERN, INC., with offices at 106 Grace Boulevard, Painted Post, New York 14870, hereinafter referred to as "Grantee", and the VILLAGE OF WATKINS GLEN, acting through its BOARD OF TRUSTEES, a Municipal Corporation having offices at 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 110-112 N Franklin Street, in the Village of Watkins Glen, being a 0.173 acre lot improved with a commercial brick building fronting on North Franklin Street with a shed in the rear fronting on a rear alley (the "Rear Alley") in said Village; and

WHEREAS, the Village is the owner of a public rights-of-way existing in and along North Franklin Street, and the Rear Alley, and specifically adjoining the premises known as 110-112 North Franklin Street; and

WHEREAS, the front of the building on the property of Grantee (hereinafter the "Structure") encroaches up to .6 feet on North Franklin Street in the Village right-of-way, and the shed in the rear encroaches .40 feet on the Rear Alley in the Village right-of-way as more specifically shown on a map of lands prepared by Weiler Associates Licensed Land Surveyors, dated March 31, 2020, a copy of which is annexed hereto; and

WHEREAS, the parties desire to set forth in writing their agreement with reference to the said encroachments.

NOW, THEREFORE, in consideration 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 rights-of-way in and to North Franklin Street and the Rear Alley, 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 rights-of-way does not and shall never ripen into nor become a right to use any portion of the rights-of-way, but is and shall continue to be only a use by sufferance of the portion only of the rights-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 any competent authority. However, the owner of the property at 110-112 North Franklin 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 uncured by Grantee, its heirs and assigns, to the Structure resulting from appropriate, reasonable and dutiful exercise of the public rights-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 of 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.

[Stop Stick and Spike Use Policy](#)

Trustee Nan Woodworth made the motion to approve a stop stick and spike use policy and use form for the Watkins Glen Police Department. Trustee Laurie DeNardo seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

[Body Worn Camera Policy](#)

Trustee Laurie DeNardo made the motion to approve a body worn camera policy for the Watkins Glen Police Department. Deputy Mayor Louie Perazzini seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

[Pops With Cops Event – September 26, 2020](#)

Trustee Laurie DeNardo made the motion to approve a *Pops with Cops* event to be held on September 26, 2020 from noon to 3pm at the Watkins Glen State Park. All donations will go to the Police Benevolent Association with Sergeant Ethan Mosher, Officer Aaron Jumper, and Officer Jamie Coleman in attendance. Deputy Mayor Louie Perazzini seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

[New Hires](#)

[Keyboard Specialist](#)

Trustee Anthony Fraboni made the motion to approve the hire of Jennifer Schoffner at a rate of \$14.00/hr. as a Full-Time Keyboard Specialist for the Village Office effective September 14, 2020. Trustee Laurie DeNardo seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

[Full-Time Temporary Police Officer](#)

Trustee Anthony Fraboni made the motion to approve the hire of Dalton Kenney at a rate of \$19.70/hr. as a Full-Time Temporary Police Officer for the Village of Watkins Glen effective September 28, 2020 – December 28, 2020. Trustee Laurie DeNardo seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

Municipal Solutions Contract Renewal

Trustee Laurie DeNardo made the motion to approve the Municipal Solutions Contract Renewal in the amount of \$225.00 to assist with Continuing Disclosure filings and regulations pursuant to SEC Rule 15c2-12 via filings on the Municipal Securities Rulemaking Board's EMMA system. Deputy Mayor Louie Perazzini seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

CONFERENCE REQUESTS

NYCOM Virtual Fall Training School

Trustee Laurie DeNardo made the motion to approve all willing Village Board members to attend the NYCOM Virtual Fall Training School on September 22-24, 2020 at a cost of \$99/person. Trustee Anthony Fraboni seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

OSC Virtual Accounting School

Trustee Nan Woodworth made the motion to approve Keyboard Specialist Jennifer Schoffner to attend the OSC virtual accounting school classes being held in October and November at a cost of \$85/session. Deputy Mayor Louie Perazzini 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 regular audit dated August 31, 2020 and the regular audit dated September 1, 2020 in the following amounts:

General	\$52,847.88	Sewer	\$2,902.53
Electric	\$24,106.02	Water	\$10,008.79
Joint Activity (CVWRF)	\$4,370.37	DRI Projects	\$2,500.00

Deputy Mayor Louie Perazzini seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

BOARD CONCERNS

Village Board Meeting

The Board made the decision to set the date for the reorganization/annual meeting for September 22, 2020, following the Village Elections.

PUBLIC HEARING (continued)

Proposed Electric Rate Increase

Trustee Nan Woodworth made the motion to close the public hearing at 6:43 pm on the proposed electric rate increase. Trustee Laurie DeNardo seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

Trustee Anthony Fraboni made the motion to approve the following resolution to increase the electric rates pending final approval from the New York Power Authority and the lifting of the New York State state of emergency. Trustee Nan Woodworth 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 completed the New York Power Authority Rate

Study and been provided with their findings; and

WHEREAS, The New York Power Authority has provided the following proposed rates for adoption;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Watkins Glen hereby approve the following proposed Electric Rate Increases.

RESIDENTIAL: Flat fee customer charge per month \$2.25 Energy Charge 0.04243	CARGILL: Energy Charge 0.01752 Demand Charge \$8.41
COMMERCIAL: Flat fee customer charge per month \$3.25 Energy Charge 0.04844	SECURITY LIGHTING: 175 Watt Mercury Vapor 53 kwh per month \$6.13 250 Watt High Pressure Sodium 75 kwh/ month \$9.77 400 Watt Mercury Vapor 120 kwh per month \$13.40
INDUSTRIAL: Energy Charge 0.03091 Demand Charge \$5.67	STREET LIGHTING: Facility Charge, per lamp \$5.13 Energy Charge 0.00955
WAL-MART Energy Charge 0.05287 Demand Charge \$5.96	A POWER ADJUSTMENT WILL BE COMPUTED EACH MONTH A MINIMUM AMOUNT WILL BE ADDED TO THE TOTAL BILL AS A RESULT

EXECUTIVE SESSION

Trustee Laurie DeNardo made the motion to exit public session and enter executive session at 6:45 pm to discuss collective negotiations. Deputy Mayor Louie Perazzini seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

ADJOURN

With no further business to come before the Board, Deputy Mayor Louie Perazzini made the motion to adjourn at 7:01 pm. Trustee Laurie DeNardo seconded the motion. The Board then voted on the motion and all were in favor. Motion Carried.

Meeting Adjourned.

Respectively Submitted,

Rhonda E Slater