

REGULAR MEETING

NOVEMBER 7, 2011

PRESENT: Mayor Robinson, Trustees Appleton, Hollister, Marsh and Wagner,
Superintendent Stearns, Building Inspector Hurlburt, Assistant Chief of Police Heubusch
and Clerk Hoffmeister

Others Present: Kristy Kibler from the Country Courier

Mayor Robinson presided.

Meeting was open with a salute to the flag.

Minutes of the previous meeting of October 17, 2011 were approved as submitted by photocopy.

TV CABLE – Received a letter from Time Warner Cable to announce a price increase effective December 1, 2011.

Received a Thank You letter from the Warsaw Cemetery Association for assisting in the repair of the cemetery driveways.

POLICE REPORT - Assistant Chief Heubusch informed the Board that they had received \$615.00 from the County for the felony arrest conducted by Officer Linderman. These funds will be marked for the Drug Task Force. Senator Gallivan's Office informed the department that there are no funds available this year. The department will apply for a grant for a police vehicle. The vehicle would be based on state bid and many vehicles are no longer available this year. Officer McGinnis has requested to attend school for maintenance on Glock's, which is the weapon that most of the officers carry. Officer Stephens will be retiring as Corrections Officer and will need to be off the payroll for 2 weeks and would then like to be reinstated. Officer Stephens submitted his temporary letter of resignation effective December 6, 2011.

BUILDING INSPECTOR - Building Inspector Hurlburt informed the Board that the owner of the property on Liberty has been issued his building permit to complete the work. Building Inspector Hurlburt and Kumar from the State met with Randy Hare and John Schenne on October 25. Mr Hare was to have designs and other required paperwork and did not have it completed. Village Attorney notified Mr Hare's attorney and was notified that Mr Hare is in process of making changes. Mr DiMatteo informed them that the Site Plan application would be discontinued if things were not submitted by 5:00 pm Monday.

Mr Hurlburt requested to have Executive Session at end of meeting.

PUBLIC WORKS PROGRESS REPORT: STREETS – New shingles and overhangs were installed at the bathhouse, plows, wings and sanders were installed on Trucks 282 and 286, repaired the catch basins located in the West Parking lot and on Jackson Street, equipment maintenance as needed, mixed sand and salt to be stockpiled for the upcoming winter season, cut woody materials in the Flood Project near the spillway, reset the timer for lights at the tennis courts, removed the tennis nets for the winter season, replaced a battery in the exit light at the Legion Hall, closed the bathrooms at Beardsley Pool and the Stearns Pavilion, water shut off and plumbing winterized, hauled recycled plastics to Wyoming Correctional, chipped brush throughout the Village, leaf rakes installed on truck 281 and 288 for leaf pickup beginning November 7, 2011 and stockpiled composted leaf material and windrowed remaining leaves. WATER DISTRIBUTION – Daily

checks and stakeouts, final meter readings as needed, shut water services off for non-payment, the following water services were shut off: cemetery, monument and Liberty Way, replaced meters at 74 Prospect, 15 Gouinlock, 2158 and 2282 Saltvale Road and 3408 S Warsaw Road, read Industrials and mowed and mulched leaves at the Village Park. WASTEWATER FACILITY – Daily tests and maintenance, monthly samples and reports, drained and cleaned the primary digester, excavated and repaired water hydrant and cleaned drying beds 3 & 5. INFORMATION – Completed Flood Emergency Plan and submitted to the Army Corps of Engineers. An ad was placed in the Pennysaver for leaf pickup beginning November 7, 2011. Completed Snow and Ice Adjustment worksheet for 2011/2012 and submitted to NYSDOT. Completed and submitted NYSDOT request for payment from CHIPS Capital Reimbursement program for \$59,523.14. I am requesting the following equipment be declared surplus: 1995 Chevy pickup with utility box, 1995 Chevy pickup 4X4 with plow and 2001 John Deere mower/snow blower/push blade. WATER TREATMENT FACILITY – Daily tests were performed and all results recorded, daily maintenance was performed and adjustments made as needed, power generator testing successfully, currently drawing water from the Headwaters supply but occasionally have to temporarily switch to the Reservoir supply when weather conditions dictate, have been making daily trips to the headwaters to keep the intake screen free of leaves and Hardings installed the new boiler on 10/20/11 and put it on line 10/21/11.

Superintendent Stearns requested a Park Committee Meeting to discuss the installation of batting cages at the Village Park.

Requests from the Flood Control Project are almost complete. Should have a permit in the spring to complete the project.

Christmas lights will be officially lit by Santa on December 6 at the monument. Lights will also be turned on at the tree by Five Star Bank and at Liberty Way. Local businesses will be opened until 9:00 p.m. that evening.

RESOLUTION #151 of 2011

LEGION HALL USE:

Motion made by Trustee Appleton
Seconded by Trustee Marsh

RESOLVED – That the following requested use of the Legion Hall be hereby approved:

Lynette Holmes – 5/11 & 12/11 – wedding reception w/alcohol – time extend to 2:30 pm
Ron Livermore – 9/29/11 – wedding reception w/alcohol – time extend to 1:00 pm

CARRIED

BUILDING AND FIRE CODE ENFORCEMENT – 13 Fire Inspections submitted by Ingles.

MEETINGS:

Park Committee – Mon 11/14 – 5:00 pm-Bathhouse
Fire Committee – Mon 11/28 – 6:00 pm- Fire Hall
Police Committee – Thurs 12/1 – 6:00 pm -Village Office

The Village Board wished Kristy Kibler the reporter from the Country Courier a Happy Birthday.

RESOLUTION #152 of 2011

BUDGET APPROPRIATIONS:

Motion made by Trustee Appleton
Seconded by Trustee Marsh

RESOLVED – That the following requested budget appropriations be hereby approved:

Snow/Ice – sand (A5142.400)	\$ 1,960.00
Snow/Ice – salt (A5142.400)	12,147.00
Snow/Ice – grit sand (A5142.400)	2,137.69
Snow/Ice – salt (A5142.400)	11,723.07
Sweeper – Seals (A8170.400)	454.90
Sears – snowblower (A7140.400)	999.00

CARRIED

PUBLIC HEARING: As duly advertised the Public Hearing was called to order at 8:00 p.m.

The Mayor suspended the Village Board meeting to convene the Public Hearing

Mayor Robinson stated that the reason for the hearing was to make sure that all contractors are required to register with the Village. The Mayor thanked Building Inspector Hurlburt for recognizing the need for the change and bringing it to the attention of the Board.

No comments from the forum.

Public Hearing was adjourned at 8:01 p.m.
Regular Meeting of the Village Board was reconvened.

RESOLUTION #153 of 2011

**VILLAGE OF WARSAW RESOLUTION
ADOPTING LOCAL LAW NO. 3 OF 2011 ENTITLED,
AREPEAL CHAPTER 93 OF THE VILLAGE OF WARSAW CODE - HOME IMPROVEMENT
CONTRACTORS AND ADD CHAPTER 52 - BUILDING CONTRACTORS”**

Adopted: November 7, 2011

The Village Board of the Village of Warsaw met at a regular board meeting at the Fire Hall in the Village of Warsaw, New York on November 7, 2011, commencing at 7:30 p.m., and thereafter, in conjunction with the regular meeting, a public hearing was held at 8:00 p.m., at which time and place the following members were:

Present: Mayor ROBINSON
Trustee APPLETON
Trustee HOLLISTER
Trustee MARSH
Trustee WAGNER

WHEREAS, all Board Members, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS, the Village Board is considering a proposed local law to repeal Chapter 93 of the Code – Home Improvement Contractor and add Chapter 52 - Building Contractors; and

WHEREAS, it is anticipated the law will provide a more comprehensive approach for protecting the health and well-being of the residents of the Village of Warsaw by requiring that all building contractors, not just home improvement contractors, through registration, disclose certain historical, financial and technical information pertinent to their ability to perform building improvements; and

WHEREAS, a Notice of Public Hearing was duly advertised in the Country Courier, the official newspaper of said Village, advising that a public hearing would be held on the 7th day of November 2011 at 8:00 p.m. and all parties in attendance were given an opportunity to be heard; and

WHEREAS, pursuant to part 617 of the implementing regulations pertaining to article 8 State Environmental Quality Review Act (SEQRA), it was determined by the Village Board, after review of the criteria set forth in 6 NYCRR, specifically section 617.5 (20) which lists “*routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment,*” as a Type II Action, that the Village has no further responsibilities or obligations under SEQRA; and

WHEREAS, the Village Board of the Village of Warsaw, after due deliberation, finds it in the best interest of the Village of Warsaw to adopt said local law.

NOW ON MOTION OF TRUSTEE MARSH, which has been duly seconded by **TRUSTEE APPLETON** now therefore

BE IT RESOLVED, that the Village Board of the Village of Warsaw hereby adopts Local Law No. 3 of 2011 entitled, “Repeal Chapter 93 of the Village of Warsaw Code – Home Improvement Contractors and Add Chapter 52 – Building Contractors.”

Ayes: 5

Nays: 0

Quorum Present: O Yes G No

Mayor Robinson – Aye
Trustee Appleton – Aye
Trustee Hollister – Aye
Trustee Marsh – Aye
Trustee Wagner – Aye

CARRIED

RESOLUTION #154 of 2011

**VILLAGE OF WARSAW RESOLUTION
AUTHORIZING THE RENEWAL OF A BOND ANTICIPATION NOTE (BAN)**

Adopted: November 7, 2011

The Village Board of the Village of Warsaw met at a regular board meeting at the Fire Hall in the Village of Warsaw, New York on November 7, 2011, commencing at 7:30 p.m. at which time and place the following members were:

Present:	Mayor	Robinson
	Trustee	Appleton
	Trustee	Hollister
	Trustee	Marsh
	Trustee	Wagner

Absent:

WHEREAS, all Board Members, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS, Bond Anticipation Note No. 2 of 2010 used to pay for the cost of purchasing a 2010 7500 International with Heil PT Commercial 27-yard Rear Load Packer in the amount of \$69,808.00 is maturing; and

WHEREAS, the Village Board of the Village of Warsaw, after due deliberation, finds it in the best interest of the Village of Warsaw to authorize the renewal of said BAN in the amount of \$52,356.00.

NOW ON MOTION OF Trustee Appleton, which has been duly seconded by Trustee Marsh, now therefore, be it

RESOLVED, that the Village Board of the Village of Warsaw hereby authorizes the renewal of a Bond Anticipation Note used to purchase a 2010 7500 International with Heil PT Commercial 27-yard Rear Load Packer; and

BE IT FURTHER RESOLVED that the above-mentioned note is being financed by the issuance of a Bond Anticipation Note, known as Bond Anticipation Note No. 2 of 2011 for \$52,356.00; and

IT IS FURTHER RESOLVED that the Mayor of the Village of Warsaw authorized the issuance of the bond anticipation note.

Ayes: 5

Nays: 0

Quorum Present: XYes No

Mayor Robinson – Aye

Trustee Appleton – Aye

Trustee Hollister – Aye

Trustee Marsh – Aye

Trustee Wagner – Aye

CARRIED

RESOLUTION #155 of 2011

POLICE DEPARTMENT PERSONNEL:

Motion made by Trustee Wagner

Seconded by Trustee Hollister

RESOLVED – That accept temporary resignation from Part-time Police Officer Gordon Stephens effective December 6, 2011. Officer Stephens will be re-instated at a later date after retirement from New York State Corrections Service is accepted.

CARRIED

RESOLUTION #156 of 2011

AUDIT AND PAY BILLS:

Motion made by Trustee Marsh
Seconded by Trustee Wagner

RESOLVED – That the bills be allowed as read; that checks in payment thereof be issued, that Mayor Robinson be and hereby is authorized to sign General Abstract #11 in the amount of \$67,534.15, Water Abstract #11 in the amount of \$14,911.41 and Sewer Abstract #9 in the amount of \$6,858.24.

CARRIED

EXECUTIVE SESSION – Personnel – 8:05 p.m.

Adjourn Executive Session at 9:05 p.m.

Moved and Seconded to adjourn at

Linda K Hoffmeister, Clerk