

## REGULAR MEETING

October 18, 2021

PRESENT: Mayor Robinson, Trustees Appleton and LaWall, Clerk Allen, Superintendent Evans, and Chief Hoffmeister. Trustees Gardner and Wagner were excused.

Others Present: James Ferrin, Vincent Hodgdon, Chris Lonneville, Becky Ryan, Sue Aldinger, Marcia Rease, Hugh TenHagen, Margaret Zeches, Nicki O'Brien, Rick Ryan, Cassandra O'Brien, Bill Romasser, Val Henrici, Val Duell, and Brenda Kelly

Mayor Robinson presided.

Meeting was open with a salute to the flag.

The minutes from the previous meeting of October 4, 2021 were approved as submitted by email.

Mayor Robinson read aloud the Rules of Conduct for Public Forums.

COMMUNITY AFFAIRS - Val Henrici advised that the Transportation Grant application had been submitted and that they should know sometime in February if it is granted. Chamber is planning a winter dance on December 11<sup>th</sup> to raise funds to paint the railroad trestle. She read aloud a letter from Sally Smith requesting the board opt out of the cannabis retail dispensaries at this time until they are able to create some village guidelines and laws that are enforceable.

CANNABIS LEGISLATION – Brenda Kelly of Tackbary Trophies asked the board if a public hearing on the legislation has been advertised and felt if there was, that would give everyone a chance to voice their concerns and provide a more transparent stance.

CANNABIS LEGISLATION – Vincent Hodgdon expressed his concerns about the Marijuana Regulation and Taxation Act. He feels as it stands now, we have a stable situation, know people are using it and if we opt out the situation will stay the same. His concerns were many including effects on the ER, the PD, future thefts, etc. and asked the village opt out for now.

CANNABIS LEGISLATION – Chris Lonneville of the Family Life Church expressed his concerns about the legislation. He has been a pastor for 30 years and has grown to love the town/village of Warsaw. His concerns are many as well including the unknowns, having more time for further studies for future pitfalls, that the state had done a better job of studying or explaining beforehand, and asked that the village opt out on the front end.

CANNABIS LEGISLATION – Hugh TenHagen addressed the board as a Partners for Prevention volunteer asking the board to do their due diligence by looking at the data/statistics and do the legwork to opt out.

CANNABIS LEGISLATION – Rick Ryan addressed the board as a concerned citizen regarding misinformation about the recent legalization of cannabis use and to educate the community on the facts about cannabis. He stated the CDC has no category for cannabis and most people use it when they socialize or for medical or therapeutic use. He feels that many people can benefit from safe, effective use of this natural medicine.

CANNABIS LEGISLATION – The mayor appreciated all for coming and voicing their opinions. On November 1<sup>st</sup> when he has a full board present, if one of the board members requests a public hearing, they will do a vote to determine if one will be held.

SNOW & ICE REMOVAL – Received the Wyoming County Snow and Ice Agreement for the 2022-23 snow season.

PARK USE – Received request from Family Life Church for use of park on November 14<sup>th</sup> for a drive thru distribution of harvest dinner bags.

CANNABIS LEGISLATION – Received letter from Eleanor Berth opposing the sale of marijuana.

RESOLUTION #153 OF 2021

BUDGET TRANSFERS:

Motion made by Trustee LaWall  
Seconded by Trustee Appleton

RESOLVED – That the following budget transfers be hereby approved:

| FROM                      | TO                        | AMOUNT     |
|---------------------------|---------------------------|------------|
| A2680(Stop DWI crackdown) | A3120.100(Police payroll) | \$1,089.81 |

CARRIED

POLICE DEPARTMENT PERSONNEL - Chief Hoffmeister recommended the termination of James Vincent from his position as crossing guard. The chief thanked him for his 20 years of service and he left on good terms and with notice but did not turn in a resignation letter.

RESOLUTION #154 of 2021

POLICE DEPARTMENT PERSONNEL:

Motion made by Trustee Appleton  
Seconded by Trustee LaWall

RESOLVED – That termination of crossing guard James Vincent due to lack of submission of resignation letter be hereby approved effective October 18, 2021.

## CARRIED

FIRE DEPARTMENT – The mayor thanked the department for all they did for the funeral of Bill Shumaker who was a vital part of the department. The department is amazing. Chief Ferrin thanked all of the towns and villages that covered for them during the services. He thanked Val from Yummies for the fire department scoop fundraiser. Had an open house with four new applicants to the department. Turkey raffle will be held on Facebook live on November 5<sup>th</sup>. Trustee Appleton thanked the police, fire, and DPW departments for all that they did in which was a sad week for the community at large.

PUBLIC WORKS PROGRESS REPORT - STREETS - Daily property & grounds maintenance of all village owned properties, including, Commerce Way, Wyoming St vault, Mt. View Ave pump house, Dueschen's Pond storage tank, Central Garage, Bldg. #2, mow/trim gateway signs, collected bagged grass & leaves daily as scheduled, empty trash cans on Main and W. Buffalo streets as needed, clean up/restore lawn and shoulder of road from watermain break on Saltvale Rd, removed weeds from sidewalk & terrace on Main St, checked drainage ditches, systems in village prior to rain event on Oct.15-16, hauled stone from stock pile to WWTP, restored trenches on W. Buffalo at Maple street, paved with top, shimmed both ends of Perry Ave prior to paving, repaired catch basins on State St, paved Industrial St, Allen St, Perry Ave, North St and State St, and swept village streets week of Oct 12th-15<sup>th</sup>. VILLAGE PARK - Daily grounds maintenance, mowing, trimming, emptying trash cans & check all buildings for issues daily, clean, prepare Legion Hall as needed prior to rentals. Mopped & waxed floor, repaired drywall cracks in Meeting Room, washed windows & pressure washed back patio, clean Picnic Pavilion as needed, performed all fire safety checks in Village Park, and checked all heating units for proper operation, changed filters in furnaces. WATER DISTRIBUTION - Daily distribution checks as required, daily stake outs as requested, daily samples of North Water Dist. as required, finals read as requested, repaired 1/2" water service at 169 W. Court St, read Town of Warsaw water meters, turned off water to the cemetery, Liberty Way and the monument, distributed "non-payment" notices, and assisted with paving operation. WATER TREATMENT PLANT - Daily tests were performed, and results recorded, generator ran successfully, under load, we currently draw water from Creek feed, water drawn from Reservoir from 10/4-10/6, water intake screen is cleaned off as necessary every few days as leaves collect onto intake screed this time of year, and performing routine housekeeping, maintenance, and yard work, we jacked up small entrance or porch into water plant and leveled floor, outer screen door will close properly, entrance steps replaced and repaired as necessary and restrained, brick molding replaced on north facing entrance doorway, and primed, caulked, and painted trim on both north and south facing doorways. WASTE WATER TREATMENT PLANT - Rinsing, hosing, draining tanks, checking sludge blanket, reading lift stations/generator, test CO2, PH, DO, Alkalinity and Acidity ratio test, reading digester temperature as needed, draining drip traps, greasing, testing and sampling as required, clean arms on bio-towers, cleaning electrode on Pista-Grit, WYCO dumped 12,000 gallons, cleaning leaves from paper boxes and repair paper box, STC put in new water line down back for building and hydrants, 10/1 8:41 am power outage, 10/4 high water alarm, started feeding soda to digester, NYS DEC here for annual inspection, everything OK, mail yearly DMR-QA study, repair paper boxes, finish cleaning and roto-till bed #3, and clean edges of bed #5.

RESOLUTION #155 of 2021

FIRE DEPARTMENT MEMBERSHIP:

Motion made by Trustee LaWall  
Seconded by Trustee Appleton

RESOLVED – That the following membership to the Warsaw Fire Department be hereby approved:

Matthew Gould - Active

CARRIED

RESOLUTION #156 of 2021

LEGION HALL USE:

Motion made by Trustee Appleton  
Seconded by Trustee LaWall

RESOLVED – That the following requested use of the Legion Hall be hereby approved under conditions of Covid-19 rules and regulations:

Christy Kohl -10/30/21- Memorial service- private w/alcohol  
Warsaw Chamber - 12/11/21 – Dinner dance fundraiser – open to public w/alcohol  
Park Use  
Family Life Church – 11/14/21 Drive thru harvest bag distribution

CARRIED

TREASURER – Proof of collateral for the month of September 2021 was submitted and ordered filed.

MEETINGS:

Fire Committee – Mon 10/25 – 6:00 pm – Fire Hall  
Police Committee – Mon 11/15 – 6:45 pm – Fire Hall

RESOLUTION #157 of 2021

BUDGET APPROPRIATIONS:

Motion made by Trustee Appleton  
Seconded by Trustee LaWall

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

|         |  |            |
|---------|--|------------|
| Streets | Paving intersections & Asphalt repair(A5110.400) | \$7,063.00 |
| Pool    | (2) SR Smith Sentry Guard Lifeguard chairs       | 1,777.50   |
| WWTF    | 20(50 lb bags)Soda Bicarbonate(G8130.400)        | 310.00     |

CARRIED

RESOLUTION #158 of 2021

SNOW/ICE AGREEMENT:

Motion made by Trustee Appleton  
Seconded by Trustee LaWall

RESOLVED - That authorizes Mayor Robinson to enter Snow/Ice contract with Wyoming County Department of Transportation for the 2022-23 snow season.

CARRIED

RESOLUTION #159 of 2021

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 the 18th day of October, 2021, commencing at 7:30 p.m. at which time and place the following members were:

|                 |         |          |
|-----------------|---------|----------|
| <u>Present:</u> | Mayor   | Robinson |
|                 | Trustee | Appleton |
|                 | Trustee | LaWall   |
| <u>Absent:</u>  | Trustee | Gardner  |
|                 | 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 of Warsaw owns 6.88 acres, which includes roadway in the Warsaw Industrial Park on Old Buffalo Road, Warsaw, New York, specifically Lot No. 1 as depicted in the map attached hereto as Exhibit A; and

**WHEREAS**, in an effort to foster the future industrial development of the Village of Warsaw, this property was purchased for the specific purpose of resale and the and Village agrees to undertake all proper and reasonable municipal action to facilitate such a purpose; and

**WHEREAS**, the Village of Warsaw is considering entering the sale of a portion of said real property also known as Lot No. 1 Commerce Way to Erik Hibsich for a purchase price of \$8,000.00 per acre, to be paid for by the purchaser; and

**WHEREAS**, based upon conversations with each Village Trustee, the Mayor received verbal authorization to sign the purchase and sale contract for the sale of Lot No.1 of the Industrial Park, and felt that it was in the best interest of the Village Board of the Village of Warsaw to sign and date such agreement as of October 18, 2021; and

**WHEREAS**, based on the foregoing, the Village Board feels it is in the best interest of the Village of Warsaw to enter this resolution into the minutes of the regular meeting October 18, 2021, authorizing the sale of Lot No. 1 of the Industrial Park to Erik Hibsich, and acknowledging the purchase and sale contract signed by Village of Warsaw as of the 18<sup>th</sup> day of October, 2021.

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

**RESOLVED**, that the Village Board of the Village of Warsaw hereby acknowledges the purchase and sale contract signed by the Village of Warsaw as of the 18<sup>th</sup> day of October, 2021 and authorizes the Mayor to execute any further necessary documents for the transfer of said property from the Village of Warsaw to Erik Hibsich.

CARRIED

RESOLUTION #160 of 2021

AUDIT AND PAY BILLS:

Motion made by Trustee LaWall  
Seconded by Trustee Appleton

RESOLVED – That the bills be allowed as read; that checks in the payment thereof be issued, that Mayor Robinson be and hereby is authorized to sign General Abstract #10 in the amount of \$34,835.26, Water Abstract #10 in the amount of \$2,240.16, and Sewer Abstract #10 in the amount of \$10,451.28.

CARRIED

RESOLUTION #161 of 2021

FIRE DEPARTMENT MEMBERSHIP:

Motion made by Trustee Appleton  
Seconded by Trustee LaWall

RESOLVED – That the following membership to the Warsaw Fire Department be hereby approved:

Katryna Omans – Active EMS only

CARRIED

Moved and seconded to adjourn at 8:23 p.m.

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Lisa A. Allen, Clerk