**PUBLIC HEARING HELD BY THE BOARD OF**

**TRUSTEES OF THE VILLAGE OF WAVERLY AT 6:15 P.M.**

**ON TUESDAY, NOVEMBER 27, 2018 IN THE TRUSTEES' ROOM,**

**VILLAGE HALL FOR THE PURPOSE OF PUBLIC COMMENT**

**REGARDING PROPOSED LOCAL LAW TO AMEND**

**CHAPTER 125, ARTICLE VIII: SIDEWALK CONSTRUCTION AND REPAIR**

Mayor Ayres declared the hearing open at 6:15 p.m. and directed the clerk to read the notice of public hearing.

**Roll Call:** Present were Trustees: Aronstam, Burlingame, Sweeney, Sinsabaugh, Havens, Reznicek, and Mayor Ayres

Also present were Clerk Treasurer Wood, and Attorney Keene

# Press included Ron Cole of WATS/WAVR, and Johnny Williams of the Morning Times

Mayor Ayres summarized the changes in the law. This would make flagstone a medium for sidewalk construction. He opened the floor for comments.

Marty Borko, 17 Lyman Avenue, stated the change to allow flagstone is good for the residents of the Village and he would like to see it pass.

Brad and Amy Zehr, of 208 Chemung Street, thanked the Board for their time and effort in reviewing this matter.

With no one else wishing to be heard, Mayor Ayres closed the hearing at 6:25 p.m.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Michele Wood, Clerk/Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, NOVEMBER 27, 2018 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Present were Trustees: Sinsabaugh, Sweeney, Aronstam, Reznicek, Havens, Burlingame, and Mayor Ayres

Also present were Clerk Treasurer Wood, and Attorney Keene

Press included, Ron Cole of WAVR/WATS, and Johnny Williams of the Morning Times

**Public Comments:** Joe Schmieg, of 417 Chemung Street, stated the school crossing at Chemung Street and Ithaca Street has not been cleared. Mayor Ayres stated he would talk with DPW regarding all the school crossings.

**Letters and Communications:** The clerk read a Letter of Resignation from Jim Cole, of the Water Department, stating after 26 years with the Village he will be retiring as on December 31, 2018. He thanked everyone for all their help over his career. Mayor Ayres accepted his Letter of Resignation. He and the Board thanked Mr. Cole for his many years with the village and wished him well in the future.

**Finance Committee/Approval of Abstract:** Trustee Sinsabaugh presented bills for the General Fund in the amount of $13,257.47, and Cemetery Fund in the amount of $740.03, and moved to approve payment of the abstracts. Trustee Burlingame seconded the motion, which carried unanimously.

**Proposed Local Law 05-2018, Amending Chapter 125:** Trustee Reznicek moved to adopt Proposed Local Law 5-2018 as follows:

**Article VIII: Sidewalk Construction and Repair**

**[Adopted 8-25-1981 by L.L. No. 4-1981]**

**§ 125-37. Approval required; width. [Amended 10-8-1985 by L.L. No. 6-1985]**

1. Unless otherwise provided in § 125-38 below, all sidewalks within the Village of Waverly hereafter constructed, repaired, replaced, improved or otherwise altered shall be constructed of cement concrete material or flag stone material of a quantity and quality approved by the Village Board of Trustees or individual appointed by the Board of Trustees. The use of any other materials for the purposes set forth above is prohibited and constitutes a violation of this article.
2. All such sidewalks hereafter constructed shall have a minimum width of five (5) feet and a minimum depth of four (4) inches for concrete and or flag stone a minimum width of five (5) feet (or 59 inched for cut stone) and a minimum depth of one and one-half (1 ½) inches, (further specifications set forth below in Sec. 125-38 B.) except sidewalks on Elizabeth Street, on Broad Street (between Loder Street and Pennsylvania Avenue), and on Fulton Street (between Elizabeth Street and the Pennsylvania State line), where such sidewalks shall be constructed under the supervision of the, Village Board of Trustees or individual appointed by the Board of Trustees who shall be responsible for approval and laying of grade in accordance with specifications approved by the Board of Trustees of the village.

**§ 125-38. Use of certain materials for sidewalk construction or repair. [Added 10-8-1985 by L.L. No. 6-1985]**

1. Repairs made upon sidewalks by property owners may, in some situations, be made with asphalt-type material, provided that each of the following conditions is met:
2. The sidewalk to be repaired consists of asphalt.
3. The area of sidewalk to be repaired is smaller than the size of one section of sidewalk, five feet in width and five feet in length.
4. The Village Board of Trustees or individual appointed by the Board of Trustees approves the method of repair.
5. When using flag stone for sidewalk construction, repair, replacement, or improvements, the material will be of a quantity and quality approved by the Village Board of Trustees or an individual appointed by the Board of Trustees. The construction of stone flagging shall be as follows:

1. The sidewalk shall be flagged with natural cleft stone or saw-cut thermal stone not less than one and one-half inches (1 ½) thick, nor less than two (2) feet by two (2) feet nominal cut. Said flagstone shall be well laid, dry set in sand, gravel or crushed stone number one (1) base of at least six (6) inches thick.

2. Joints shall be no more than one-half (½) inch and filled in with sand or stone dust with the total combined thickness of the stone dust, setting bed and bluestone being at least six (6) inches in total thickness.

3. Minimum sidewalk width for all new sidewalks to be five (5) feet (or 59 inches due to nominal cut stone). Where the minimum recommended five (5) foot width is not possible due to site conditions (example going around a tree or tree roots), a minimum of three (3) foot width section of sidewalk may be installed with minimum five (5) foot square passing areas spaced no more than 200 linear feet apart, as per ADA guidelines.

4. Where the sidewalk joins the next property’s sidewalk, the above stone minimum width may be smaller depending on what is needed to properly abut with the adjoining property’s sidewalk. The thickness of the flagstone must remain one and one-half (1 ½) inches thick.

5. Variances to the above specifications will be considered on an individual case to case basis, after a presentation to the village.

6. Variances to existing stone sidewalks will be considered on an individual case to case basis, after a presentation to the Village.

7. At crosswalk ramps, a concrete section of sidewalk large enough for “detectable warning” strips (detectable strips to be set by the village) is needed as approved by the Village Board of Trustees.

**§ 125-42. Responsibility of owner or occupant; replacement covering and sealing of new sidewalks, repair.**

1. Newly laid concrete sidewalks must be covered for three (3) days, and salt sealer must be applied.

**§ 125-43. Penalties for offense. [Amended 6-14-1988 by L.L. No. 1-1988; 9-23-2008 by L.L. No. 1-2008]**

1. Penalties
2. Any person who shall violate this article by constructing a sidewalk or replacing an existing sidewalk with materials other than cement concrete or flagstone or who shall fail to keep sidewalks abutting property owned and/or occupied by him in a safe condition and in good repair shall, upon conviction thereof, be subject to a fine.

Trustee Havens seconded the motion, which passed by the following vote in favor thereof:

Ayes – 7 (Sinsabaugh, Aronstam, Sweeney, Burlingame, Havens, Reznicek, Ayres)

Nays – 0

**Parking on Village Streets:** Trustee Aronstam has scheduled a drive around with Chief Gelatt.

**Water Issue by RR/South Broad Street:** Trustee Sinsabaugh stated with the recent snow storm, the DPW has not had an opportunity to look at the situation.

**Flag Illumination:** The clerk stated she reached out to some electricians for RFP’s to illuminate the flag at Village Hall. She should have some proposals for the next meeting.

**December Meeting:** Due to the Holiday, the December 25, 2018 meeting is cancelled.

**Adjournment**: Trustee Sinsabaugh moved to adjourn at 6:45 p.m. Trustee Reznicek seconded the motion, which carried unanimously.

Respectfully submitted,

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Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, DECEMBER 11, 2018 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Present were Trustees: Burlingame, Sinsabaugh, Sweeney, Havens, Aronstam, Reznicek, and Mayor Ayres

Also present were Clerk Treasurer Wood, Code Enforcement Officer Robinson, and Attorney Keene

Press included, Ron Cole of WAVR/WATS, and Johnny Williams of the Morning Times

**Public Comments:** Ron Keene stated the *Wreaths across America* event will be held on December 15th. They will begin at Glenwood Cemetery at 10:30 a.m. The Waverly VFW and American Legion will be placing wreaths at all of Waverly’s Cemeteries, the Veterans’ Memorial at Muldoon Park, and at the tank at the VFW Building. He invited the Board Members and public to join in.

**Department Report:** The clerk submitted department reports from Parks & Recreation, Code Enforcement, and the Police Department.

**Approval of Minutes:** Trustee Sinsabaugh moved to approve the Minutes of November 13, November 19, and November 27, 2018 as presented. Trustee Reznicek seconded the motion, which carried unanimously.

**Treasurer's Reports:** Clerk Treasurer Wood presented the following financial reports:

General Fund 11/1/18 – 11/30/18

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 210,205.89 | Current Revenues | 72,818.52 |
| Deposits | 417,434.52 | Year to Date Revenue | 2,468,696.21 |
| Disbursements | -456,634.76 | Current Expenditures | 454,486.95 |
| Ending Balance | 171,005.65 | Year to Date Expended | 1,856,517.43 |

\*General Capital Reserve Fund, $84,677.40

Cemetery Fund 11/1/18 – 11/30/18

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 5,830.53 | Current Revenues | 808.00 |
| Deposits | 800.25 | Year to Date Revenue | 28,399.82 |
| Disbursements | -935.57 | Current Expenditures | 935.57 |
| Ending Balance | 5,695.21 | Year to Date Expended | 33,116.17 |

\*Current Estimated Fund Balance $21,471.55

Capital Projects Fund 11/1/18 – 11/30/18

|  |  |  |  |
| --- | --- | --- | --- |
|  | General CP (Fire) | Sewer CP (Upgrade) | Glen Park Project |
| Beginning Balance | 180,146.20 | .15 | 25,000.00 |
| Deposits/Debits | 0.00 | 366,924.39 | 1,650.00 |
| Disbursements/Credits | -74,738.00 | -366924.39 | 0 |
| Ending Balance | 105,408.20 | .15 | 26,650.00 |

\*Total Capital Projects Fund Balance $132,058.35

**Finance Committee/Approval of Abstract:** Trustee Sinsabaugh presented General Fund bills in the amount of $16,398.16; and Cemetery Fund bills in the amount of $552.34, and moved to approve payment of the abstract. Trustee Burlingame seconded the motion, which carried unanimously.

**Glen Park Project Update:** Mayor Ayres stated he is scheduling a meeting for early January and should have an update for the next meeting.

**Parking on Village Streets:** Trustee Aronstam stated that he has not been able to meet with the committee, however, will meet with them soon.

**Water Issue by RR/South Broad Street:** Trustee Sinsabaugh stated the DPW cleaned out the debris and water should be able to drain properly.

**Cemetery Mowing Bids:** The clerk stated we only received one bid for the mowing services. Mayor Ayres opened the bid from K & K Lawn Service. It was a 3-year bid, as follows: 2019/$38,400, 2020/$39,600, and 2021/$41,400. Trustee Aronstam moved to award the cemetery mowing contract to

K & K Lawn Service as bid. Trustee Sweeney seconded the motion, which led to a roll call vote, as follows:

Ayes – 7 (Burlingame, Sweeney, Aronstam, Sinsabaugh, Havens, Reznicek, Ayres)

Nays – 0

The motion carried.

**DPW Fire/Capital Project Closeout:** The clerk stated the DPW Fire Project has been completed and all bills have been paid. She submitting financial details of the project to the Board to review. The total cost to the Village, that was not reimbursed from NYMIR was $94,591.80. She stated there is $105,408.20 remaining from the funds ($200,000) borrowed from the General Fund. Trustee Aronstam moved to approve the clerk transfer back $105,408.20 from the Capital Projects Fund to the General Fund, and close-out the DPW Fire Project. Trustee Sinsabaugh seconded the motion, which passed by the following vote in favor thereof:

Ayes – 7 (Sinsabaugh, Aronstam, Sweeney, Burlingame, Havens, Reznicek, Ayres)

Nays – 0

**Scanners for Village Election:** The clerk stated over the past few years, we have been using paper ballots for the Village Election. She stated the last contested election caused the election inspectors to manually count many ballots, which took a long time. She notified the Board that it is possible to use the election scanners from Tioga County and submitted an estimated cost. The current cost of election is approximately $600 and using the scanners would be approximately $1,400. Most of the cost would be in purchasing the printed ballots, which are $0.52 each. She also recommended that if we decide to use the scanners that we use them every year regardless if the race is contested or not, as switching back and forth would confuse the voters. She stated she would put this on the next agenda as Tioga County would need to know our intentions by mid-January.

**Dog Park:** Trustee Aronstam stated a group of residents would like the Village to install a dog park. This group will make a presentation at the January Meeting.

**Mayor/Board Comments:** Trustee Burlingame asked why the Glen Park is closed in the winter when the trails are being used. Trustee Havens stated the reason is that the water is shut-off to the bathrooms, and it would need to be plowed. Trustee Burlingame stated he would like to see at least the front of the park open for parking purposes. Mayor Ayres stated this should be looked into.

Mayor Ayres stated the Planning Board met and started working on the Comprehensive Plan. He stated there was good conversation, which was all positive.

**Adjournment**: Trustee Sinsabaugh moved to adjourn at 7:13 p.m. Trustee Reznicek seconded the motion, which carried unanimously. Respectfully submitted,

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Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, JANUARY 8, 2019 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Present were Trustees: Burlingame, Sinsabaugh, Sweeney, Havens, Aronstam, Reznicek, and Mayor Ayres

Also present were Clerk Treasurer Wood, Code Enforcement Officer Robinson, Attorney Keene, and Tioga County Legislator Dennis Mullen

Press included Johnny Williams of the Morning Times

**Dog Park Presentation:** Chris Davis, Chairman of the Valley Bark Park, presented a handout regarding dog parks. He stated their group would like to establish a dog park within the valley. He presented reasons why a dog park would be a great addition to the area. Trustee Sweeney and Trustee Reznicek stated they would work with the Valley Bark Park and look at concerns and needs.

**Public Comments:** Ron Keene stated we had twenty burials in 2018. He also stated there are 76 properties with unpaid taxes in the Village. He stated concern with the Village losing $7,085.97 in tax revenue with the nine properties recently going to the Land Bank and the rest of the residents will have to make that up.

**Department Report:** The clerk submitted department reports from Parks & Recreation, Code Enforcement, and the Police Department.

**Approval of Minutes:** Trustee Reznicek moved to approve the Minutes of December 11, 2018 as presented. Trustee Burlingame seconded the motion, which carried unanimously.

**Transfer from Trust & Agency Fund:** The clerk stated there are funds in the Trust & Agency Fund that have been there for over 30 years and she is unsure what they were intended for, or the bonds were never picked up. She stated we haven’t collected bonds from the garbage haulers for well over 20 years. She stated she talked with the previous clerk treasurer, and she also was unsure what they were for. She stated there are a few more accounts, however, they can be used up as intended. The clerk requested they be transferred to the General Fund. They are as follows:

Trust & Agency Accounts

T30 Garbage Hauler Bond $ 300.00

T85 Security Bond 2,710.00

T85.03 Trees 306.24

T93 Misc 5,093.09

Total $ 8,409.33

Trustee Sinsabaugh moved to approve the transfer as presented. Trustee Havens seconded the motion, which carried unanimously.

**Treasurer's Reports:** Clerk Treasurer Wood presented the following financial reports:

General Fund 12/1/18 – 12/31/18

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 171,005.65 | Current Revenues | 220,078.23 |
| Deposits | 342,894.83 | Year to Date Revenue | 2,688,774.44 |
| Disbursements | -179,542.74 | Current Expenditures | 252,006.68 |
| Ending Balance | 334,357.74 | Year to Date Expended | 2,108,524.11 |

\*General Capital Reserve Fund, $84,691.78

Cemetery Fund 12/1/18 – 12/31/18

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 5,696.21 | Current Revenues | 8.24 |
| Deposits | .23 | Year to Date Revenue | 28,408.06 |
| Disbursements | -747.88 | Current Expenditures | 747.88 |
| Ending Balance | 4,947.56 | Year to Date Expended | 33,864.05 |

\*Current Estimated Fund Balance $20,731.91

Capital Projects Fund 12/1/18 – 12/31/18

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | General CP (Fire) | Sewer CP (Upgrade) | Glen Park Project | Restore NY 358 Broad Street |
| Beginning Balance | 105,408.20 | .15 | 26,650.00 | 0.00 |
| Deposits/Debits | 0 | 4,549,404.00 | 5,250.00 | 1,000.00 |
| Disbursements/Credits | -105,408.20 | -1,032,436.02 | -2,900.00 | -22.87 |
| Ending Balance | 0 | 3,516,968.13 | 29,000.00 | 977.13 |

\*Total Capital Projects Fund Balance $3,545,968.13

Loan Programs 11/1/18 – 11/30/18

|  |  |  |  |
| --- | --- | --- | --- |
| Business Loans |  | Rehab Loans | Balances |
| Beginning Balance | 21,150.38 | Beginning Balance | 1,627.22 |
| Deposits | 494.32 | Deposits | 317.78 |
| Disbursements | -1,000.00 | Disbursements | 0.00 |
| Ending Balance | 20,644.70 | Ending Balance | 1,945.00 |
| Money Market/Savings | 410,508.58 | MM/Savings Balance | 158,788.11 |
|  |  | Sidewalk Balance | 8,987.00 |
| Total Available Balance | 431,153.28 | Total Available Balance | 169,720.11 |
| Outstanding Loans | 25,264.50 | Outstanding Loans | 52,943.92 |
| Fund Balance | 456,417.78 | Fund Balance | 222,664.03 |

\*The report also outlined the status of individual loan repayments

Loan Programs 12/1/18 – 12/31/18

|  |  |  |  |
| --- | --- | --- | --- |
| Business Loans |  | Rehab Loans | Balances |
| Beginning Balance | 20,644.70 | Beginning Balance | 1,945.00 |
| Deposits | 1,031.81 | Deposits | 4,401.80 |
| Disbursements | 0.00 | Disbursements | 0.00 |
| Ending Balance | 21,675.78 | Ending Balance | 6,346.80 |
| Money Market/Savings | 410,578.31 | MM/Savings Balance | 158,815.08 |
|  |  | Sidewalk Balance | 8,987.00 |
| Total Available Balance | 432,254.09 | Total Available Balance | 174,148.88 |
| Outstanding Loans | 24,027.50 | Outstanding Loans | 48,232.88 |
| Fund Balance | 456,281.59 | Fund Balance | 222,381.76 |

\*The report also outlined the status of individual loan repayments

Mayor Ayres explained to the Board that the treasurer’s reports show all budget to actual figures and requested the Board to review them.

**Finance Committee/Approval of Abstract:** Trustee Sinsabaugh presented General Fund bills in the amount of $90,818.37; Trust & Agency Fund in the amount of $8,531.83 (above transfer included); and Residential Rehab in the amount of $1,056.77; and moved to approve payment of the abstract. Trustee Burlingame seconded the motion, which carried unanimously.

**Capital Projects Abstract:** Trustee Reznicek moved to approve the following expenditures be paid from the Capital Projects Fund:

Glen Park Project

Research Foundation for SUNY Inv 1832877 $ 2,900.00

Delta Engineers Inv 1 496.25

Total $ 3,396.25

Trustee Sinsabaugh seconded the motion, which carried unanimously.

**Rehab Loan Write-Off:** The clerk presented a history report on loan NE100 and stated the property went through a bank foreclosure. This loan has been delinquent since 2010. Attorney Keene stated the foreclosure was finalized and we cannot recuperate any funds. Trustee Havens moved to write-off loan NE100 in the amount of $16,446.42. Trustee Reznicek seconded the motion, which carried unanimously.

**Tioga County Update:** Tioga County Legislator Mullen stated the Social Services Department is over budget by $173,000, which is mostly due to out-of-county services. There is no in-house rehab in Tioga County. Opiod addiction is a huge and very costly issue in Tioga County. Economic Growth in Tioga County is high and ranked #1 in the state in 2014. He also stated the goal of the Land Bank is to rehab homes to get back on the tax rolls at a better return. He stated these properties haven’t paid taxes in many years. These properties are abandoned and considered zombie properties. The municipalities will lose tax revenue until these properties are completed and purchased, but without the Land Bank these properties would just deteriorate until they fell down. Work on these properties should begin in Spring.

**Glen Park Project Update:** Mayor Ayres stated there was a meeting last week and there was good discussion. He stated they will have monthly meetings to keep this project moving forward. He stated any Trustee is welcomed to attend. Mayor Ayres also stated that Trustee Sweeney has painted a “Goal” sign for donations. The Board agrred to put the sign in the Mini Park.

**Parking on Village Streets:** Trustee Aronstam stated that he and Chief Gelatt measured the width of several streets in the village. He submitted a handout showing the optimal width of a street is 35 feet. This is optimal for parking on both sides and two-way traffic. Most of our streets are less than 35 feet wide. The biggest issue is that there isn’t enough off-street parking available for the number of vehicles.

**Flag Pole Illumination Proposals:** The clerk submitted the following three proposals to illuminate the flag pole at Village Hall:

Johnson & McEwen – $2,100, they will run electric from Bell Building, install lighting on each side of sign and lighting at flag pole. The DPW will dig trench.

Bouille Electric - $1,959, they will run electric from receptacle mounted on the soffit of the Bell Building with conduit, and install one light at flagpole. They recommend two lights and additional would cost $865 more. The DPW will dig trench.

Patterson Electric - $1,539.23, the will install flood light from Village Hall directed at flag pole, no digging necessary.

Trustee Sinsabaugh moved to approve Johnson & McEwen’s proposal in the amount of $2,100 as he felt their proposal offered more at a better cost. Trustee Havens seconded the motion, which carried unanimously. The clerk stated that due to the digging, it would be done in the Spring. The Board agreed.

**Election Day Resolution:** Trustee Reznicek offered the following resolution and moved its adoption:

WHEREAS, the Annual Election of the Village of Waverly be held in the Trustees’ Room in the Village Hall, at 32 Ithaca Street, Waverly, New York, between the hours of 12:00 o’clock noon and 9:00 o’clock in the afternoon of Tuesday, March 19, 2019, and

WHEREAS, the following be designated as Inspectors of Election: Joan Case, Laura Hoppe, Donna Casterline, and Dennis Lamberti be paid $125.00 each, and

WHEREAS, Joan Case be hereby appointed as Chairman of the Board, and

WHEREAS, the Board of Trustees gives the Clerk-Treasurer the sole-authority to replace any inspector who becomes unavailable prior to election, and

BE IT RESOLVED, the Village of Waverly will hold their General Election on Tuesday, March 19, 2019 for the purpose of electing a Mayor, and three Trustees, each for a term of two years.

The resolution was seconded by Trustee Burlingame and upon voice vote, unanimously carried.

**Grievance Day Resolution:** Trustee Sinsabaugh offered the following resolution and moved its adoption:

WHEREAS, The Board of Trustees is required by the Real Property Tax Law to provide a Grievance Day on the third Tuesday, of February, 2019, and

WHEREAS, such third Tuesday falls on the 19th day February, 2019, and

WHEREAS, the Board of Assessment Review is required to meet for at least four hours to hear grievances, and

WHEREAS, the members of the Board of Assessment Review be paid $100.00 each, and

NOW, THEREFORE, BE IT RESOLVED, and it is hereby resolved that the Board of Assessment Review meet on the 19th day of February, 2019, in the Trustees’ Room, in the Village Hall, between the hours of 4:00 and 8:00 P.M. to hear complaints with respect to the Assessment Roll to be filed by the Assessor with the Clerk of the Village, on or before February 1, 2019, and the Clerk of the Village is further directed to publish statutory notice of such meeting required by the Real Property Tax Law.

The resolution was seconded by Trustee Havens and on voice vote, unanimously carried.

**Scanners for Village Election:** The clerk stated after further review and discussion with the election inspectors, she feels at this point it doesn’t warrant using the scanners. She recommended we stay with the paper ballots. The Board settled with the clerk’s recommendation.

**Board of Assessment Review Appointment:** Mayor Ayres appointed Kyle McDuffee to the Board of Assessment Review for a two-year term. Trustee Sweeney moved to approve the appointment of Kyle McDuffee as presented. Trustee Sinsabaugh seconded the motion, which carried unanimously.

**NYCOM Winter Legislative Meeting**: The clerk stated NYCOM is holding their Annual Winter Legislative Meeting on February 10-12, 2019 in Albany. Mayor Ayres stated any Board Member wishing to attend should contact the clerk.

**Waverly Family Resource Center Request:** Mayor Ayres stated the Family Resource Center, which is part of the Cornell Cooperative Extension, has stated their funding was cut and can no longer afford rent where they are now. They are working with the school and the library and have requested to use our Community Room two days per month for four hours each. Discussion followed. Trustee Sinsabaugh moved to approve Waverly Family Resource Center to use Community Room as requested at no charge, contingent upon submitting the proper insurance, and will be reviewed again in two months to see how it is working out. Trustee Burlingame seconded the motion, which carried unanimously.

**Full-Time Recreation Director Hire:** Mayor Ayres stated Recreation Director Shaw passed his Civil Service Exam in October 2017. Due to oversight, he was not effectively appointed through Civil Service. Trustee Sweeney moved to hire David Shaw as a Full-Time Recreation Director at his current rate of pay and benefits, retroactive to the Civil Service Certification Date of December 21, 2018. His probationary is 8 to 52 weeks. Trustee Havens seconded the motion, which led to the following vote:

Ayes – 7 (Burlingame, Sweeney, Aronstam, Reznicek, Havens, Sinsabaugh, Ayres)

Nays – 0

The motion carried.

**Budget Committee:** Mayor Ayres appointed Trustees Aronstam, Sinsabaugh, and Burlingame to work with Clerk Treasurer Wood and the department heads on the 2019 -2020 Tentative Budget. They all accepted.

**Mayor/Board Comments:** Mayor Ayres state he talked with Doug Camin, Tioga County IT, and the grant was awarded. They are waiting on the grant contract to be finalized at the infrastructure work will begin in the spring.

Clerk Treasurer Wood stated the popcorn popper was found to not be working during the Tinsel & Lights event. Leprino Foods bought and donated a new popper to the Village. The Board thanked Leprino’s for their donation.

**Adjournment**: Trustee Sweeney moved to adjourn at 8:28 p.m. Trustee Reznicek seconded the motion, which carried unanimously. Respectfully submitted,

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Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, JANUARY 22, 2019 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance, and asked for a moment of silence for the passing of Allen “Doc” Dimon.

**Roll Call:** Present were Trustees: Burlingame, Sweeney, Havens, Aronstam, Reznicek, and Mayor Ayres

Also present were Clerk Treasurer Wood, Attorney Keene, and Teresa Saraceno from Tioga County EDP

Press included, Ron Cole of WAVR/WATS, and Johnny Williams of the Morning Times

**Public Comments:** Former Mayor Dan Leary, 63 Pine Street, wanted to comment on the recent *Letter to the Editor* in the Morning Times sent by Ron Keene regarding the Land Bank properties. He stated every year there are many taxes not paid to the Village. Unpaid taxes are sent to Tioga County in November and the Village is made whole by the county. Those unpaid taxes will be assessed to the property’s Town/County taxes that come out in January. Most of the taxes are paid as there are very few properties in the village that go on to the tax auction. He also commented on the loss of assessments that will occur with the Land Bank properties. The Village lost 65 assessments in the early 1970’s when Route 17 was built, lost several assessments when the bridges on Spaulding Street and Pennsylvania Avenue were demolished, and even when the Village Hall was moved. He commented that Dandy took three lots to put their new store in, and now that assessment is higher than all three were. The Land Bank properties will be tax exempt until they are rehabilitated and sold, and then they will be back on the tax roll at a much better assessment, and no longer an eye-sore to the neighborhood. The properties with homes that will be demolished will also get sold and go back on the tax roll and potentially be rebuilt in the future. Mr. Leary feels the Land Bank is a great opportunity to help fix a lot of the blight plaguing our village.

Teresa Saraceno stated the Land Bank was awarded $500,000 from NYS in November, and is currently working on the engineering/bidding process. She stated that Tioga County still has possession of these nine properties, however, they will be turned over to the Land Bank at a later time.

**Department Report:** The clerk submitted department reports from Code Enforcement, as it was unavailable at the last meeting.

**Approval of Minutes:** Trustee Reznicek moved to approve the Minutes of January 8, 2019 as presented. Trustee Havens seconded the motion, which carried unanimously.

**Finance Committee/Approval of Abstract:** Trustee Burlingame presented General Fund bills in the amount of $49,017.24; and Cemetery Fund in the amount of $28.49; and moved to approve payment of the abstract. Trustee Sweeney seconded the motion, which carried unanimously.

**Capital Projects Abstract:** Trustee Reznicek moved to approve the following expenditures be paid from the Capital Projects Fund:

(Glen Park) Schumaker Consulting Engineers Inv 1 $27,769.35

(Glen Park) Delta Engineers Inv 2 5,771.93

(Restore NY) Empire State Development PH notice 597.15

Trustee Havens seconded the motion, which carried unanimously.

**Parking on Village Streets:** Trustee Aronstam stated that due to personal issues and weather, he had not had a chance to meet with the committee. He will update the Board as the process continues.

**Flag Pole Illumination Proposal:** The clerk stated the Board approved Johnson & McEwen’s proposal in the amount of $2,100 at the last meeting. After discussion with Jeff McEwen, they have closed their business. Mr. McEwen stated P & L Electric is taking over their clients/projects and would do this one for the same costs and same scope of work. Trustee Reznicek moved to approve P & L Electric as presented. Trustee Havens seconded the motion, which carried unanimously.

**Housing Work Group:** Mayor Ayres stated Tioga County is doing a Housing Affordability Study and would like group involvement from the municipalities. This will help develop housing affordability. He would like anyone with housing market knowledge to volunteer for this group. Trustee Sweeney volunteered to be a part of the group.

**Kitchen at East Waverly Pavilion:** Trustee Aronstam stated Recreation Director Shaw asked him to look at the kitchen at East Waverly. Trustee Sweeney also observed. Trustee Sweeney stated the electric is a hazard, and needs to be re-wired immediately. Three proposals were submitted, as follows:

Burt Builders $1,516

P & L Electric 2,470

Jim Hammond 1,900

Trustee Sweeney moved to approve Burt Builders to install new 100 amp service panel, remove and replace all branch circuits for receptacles, and removed and replace all wiring to existing light fixtures, at a cost of $1,516, which includes all labor and materials. Trustee Havens seconded the motion, which carried unanimously.

**Part Time Hire for Water Department:** The clerk stated that due to Jim Cole’s retirement and Plant Operator Roney needing to take some time off, the Water Department is struggling to get meters read. The Board of Water Commissioners recommended hiring Jim Cole to come back to work on a part time/per diem basis to aid in meter reading and help train a new hire in the near future, and to be paid at the same pay rate as he left with. Jim Cole has agreed to come back temporarily to help out. Trustee Reznicek moved to approve re-hiring Jim Cole as presented. Trustee Havens seconded the motion, which carried unanimously.

**Full Time Hire for Sewer Department:** The clerk stated the Board of Sewer Commissioners have budgeted for a new laborer position in the current budget. They would like to have another person there to train and know the new system. Trustee Havens moved to approve the clerk to advertise for WWTP Laborer position. Trustee Reznicek seconded the motion, which carried unanimously.

**Assessment Rate:** The clerk stated we are currently using a Level of Assessment of 60%. After discussions with our Assessor, the Level of Assessment may need to match the state equalization rate, which is 41.68%. The clerk stated this would increase the full market values, however, the assessments would remain the same.

**Mayor/Board Comments:** Mayor Ayres commended the DPW for their plowing during the recent storm. He also stated a snow emergency was declared prior to storm, and most cars were parked off the streets. Three cars were towed.

**Executive Session:** Trustee Havens moved to enter executive session at 7:18 p.m. to discuss an employee contract issue. Trustee Reznicek seconded the motion, which carried unanimously.

Trustee Reznicek moved to enter regular session at 7:40 p.m. Trustee Sweeney seconded the motion, which carried unanimously.

**AIM Funding:** The clerk stated Governor Cuomo proposed to cut Aim Funding (State Aid to Municipalities) from the State’s budget. The clerk stated we would lose $47,000 per year. Trustee Burlingame moved to oppose Governor Cuomo’s proposal and direct the Mayor to send opposition letter. Trustee Reznicek seconded the motion, which carried unanimously.

**Adjournment**: Trustee Sweeney moved to adjourn at 7:41 p.m. Trustee Reznicek seconded the motion, which carried unanimously. Respectfully submitted,

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Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, FEBRUARY 12, 2019 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Present were Trustees: Burlingame, Sinsabaugh, Sweeney, Havens, Aronstam, and Mayor Ayres

Also present were Clerk Treasurer Wood, Code Enforcement Officer Robinson, Attorney Keene, and Tioga County Legislator Dennis Mullen

Press included Johnny Williams of the Morning Times, and Ron Cole of WATS/WAVR Radio

**Public Comments:** Margaret Prinzi commended the road crew for doing a great job plowing. She stated, however, the sidewalks are a mess.

**CASA-Trinity Presentation:** Mayor Ayres stated he met with Ann Domingos from CASA-Trinity involving the unused wing at Village Hall. Ann Domingos was called and participated via phone conference. She explained that they are interested in developing the wing for an in-house substance abuse rehabilitation treatment center. They operate several of these centers throughout New York and Pennsylvania. She stated this facility would be a 25-bed center, would have approximately 15 employees. She also stated that this would need to be a 30-year lease between CASA-Trinity and the Village of Waverly. She is submitting a grant application to the state and the deadline is in a few days. She stated that this would be the first and only center in Tioga County. Discussion and questions followed. Ms. Domingos thanked the Board for their support before disconnecting from the meeting. Mayor Ayres stated this would be a 30-year revenue stream and the wing would be rehabilitated. He also stated that Chief Gelatt is in full support of this. Trustee Sinsabaugh moved to approve Mayor Ayres to sign a letter of support for CASA-Trinity to establish a rehab/treatment center as presented. Trustee Havens seconded the motion, which led to the following vote:

Ayes – 6 (Burlingame, Sweeney, Aronstam, Havens, Sinsabaugh, Ayres)

Nays – 0

Absent – 1 (Reznicek)

The motion carried.

**Department Report:** The clerk submitted department reports from Parks & Recreation, Code Enforcement, and the Police Department.

**Approval of Minutes:** Trustee Burlingame moved to approve the Minutes of January 22, 2019 as presented. Trustee Havens seconded the motion, which carried unanimously.

**Treasurer's Reports:** Clerk Treasurer Wood presented the following financial reports:

General Fund 1/1/19 – 1/31/19

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 334,357.74 | Current Revenues | 79,878.33 |
| Deposits | 82,674.22 | Year to Date Revenue | 2,768,652.77 |
| Disbursements | -223,412.77 | Current Expenditures | 221,405.05 |
| Ending Balance | 193,619.19 | Year to Date Expended | 2,329,929.16 |

\*General Capital Reserve Fund, $84,706.17

Cemetery Fund 1/1/19 – 1/31/19

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 4,947.56 | Current Revenues | 2,850.26 |
| Deposits | 2,842.24 | Year to Date Revenue | 31,258.32 |
| Disbursements | -224.03 | Current Expenditures | 224.03 |
| Ending Balance | 7,565.77 | Year to Date Expended | 34,088.08 |

\*Current Estimated Fund Balance $23,358.14

Loan Programs 1/1/19 – 1/31/19

|  |  |  |  |
| --- | --- | --- | --- |
| Business Loans |  | Rehab Loans | Balances |
| Beginning Balance | 20,644.70 | Beginning Balance | 6,346.80 |
| Deposits | 1,031.08 | Deposits | 1,374.74 |
| Disbursements | 0.00 | Disbursements | -2,113.54 |
| Ending Balance | 21,675.78 | Ending Balance | 5,608.00 |
| Money Market/Savings | 350,645.42 | MM/Savings Balance | 158,842.06 |
|  |  | Sidewalk Balance | 8,987.00 |
| Total Available Balance | 372,321.20 | Total Available Balance | 173,437.06 |
| Outstanding Loans | 23,505.17 | Outstanding Loans | 31,491.54 |
| Fund Balance | 395,826.37 | Fund Balance | 204,928.60 |

\*The report also outlined the status of individual loan repayments

Capital Projects Fund 1/1/19 – 1/31/19

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | General CP (Fire) | Glen Park Project | WWTP Upgrade Project | Restore NY 358 Broad Street |
| Beginning Balance | 0.00 | 29,000.00 | 3,516,968.13 | 977.13 |
| Deposits/Debits | 0.00 | 60,000.00 | 0.00 | 0.00 |
| Disbursements/Credits | 0.00 | -34,037.53 | -304,325.95 | 0.00 |
| Ending Balance | 0.00 | 54,962.47 | 3,212,642.18 | 977.13 |

\*Total Capital Projects Fund Balance $3,267,604.65

**Finance Committee/Approval of Abstract:** Trustee Sinsabaugh presented General Fund bills in the amount of $62,946.36 and moved to approve payment of the abstract. Trustee Burlingame seconded the motion, which carried unanimously.

**Capital Projects Abstract:** Trustee Havens moved to approve the following expenditures be paid from the Capital Projects Fund:

Delta Engineers Glen Park Inv 3 $6,505.82

Total $6,505.82

Trustee Sinsabaugh seconded the motion, which carried unanimously.

**Tioga County Update:** Tioga County Legislator Mullen thanked the Board for their support in CASA-Trinity, as there is no center in Tioga County. This will truly help the residents of Tioga County. He stated sales tax is up by 16.9%. Mr. Mullen clarified that the funds for the Land Bank are funds coming from the State that are seized assets from civil settlements, and are not from the state or county’s tax base.

**Assessment Rate:** The clerk stated we are currently using a Level of Assessment of 60%, and after the discussion at the last meeting, the clerk was notified that we would still be at 60%, as we do not have to use the equalization rate.

**2018 CDBG Grant:** Trustee Sinsabaugh moved to authorize Mayor Ayres to sign the acceptance of the 2018 CDBG Grant Award of $500,000. Trustee Havens seconded the motion, which carried unanimously.

**Board of Assessment Review Appointment:** Mayor Ayres stated Troy Campbell is unable to fulfill his seat on the Board of Assessment Review this year. Mayor Ayres appointed Joan Case to the Board of Assessment Review to fill the vacancy. Trustee Havens moved to approve the appointment of Joan Case as presented. Trustee Sinsabaugh seconded the motion, which carried unanimously.

**Storm Sewer Grant:** Mayor Ayres asked Trustees Havens and Sinsabaugh to work with Jack Pond and Clerk Treasurer Wood on the NYS DEC Grant of $125,000 for storm sewer replacements on Clinton Avenue. They both agreed.

**2019 Poll Site Agreement:** The clerk presented a poll site agreement from Tioga County Board of Elections for elections to be held, as follows: Primary on June 25, 2019, and the General Election on November 5, 2019. These elections will be conducted in our community room, and will accommodate three polling districts. Trustee Sinsabaugh moved to approve the agreement as presented. Trustee Burlingame seconded the motion, which carried unanimously.

**Mayor/Board Comments:** Attorney Keene stated lawsuit filed against the Village from the owner of the NPL Building, has been dismissed and cannot be filed again.

**Adjournment**: Trustee Sweeney moved to adjourn at 7:35 p.m. Trustee Burlingame seconded the motion, which carried unanimously. Respectfully submitted,

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Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, FEBRUARY 26, 2019 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Present were Trustees: Sweeney, Havens, Aronstam, Reznicek, Sinsabaugh, and Mayor Ayres

Also present were Clerk Treasurer Wood, and Attorney Keene

Press included, Ron Cole of WAVR/WATS, and Johnny Williams of the Morning Times

**Public Comments:** There were no comments offered.

**Department Report:** The clerk submitted a department report from Code Enforcement.

**Finance Committee/Approval of Abstract:** Trustee Sinsabaugh presented General Fund bills in the amount of $11,801.73; and Cemetery Fund in the amount of $56.48; and moved to approve payment of the abstracts. Trustee Havens seconded the motion, which carried unanimously.

**Parking on Village Streets:** Trustee Aronstam stated there were no new updates.

**Glen Park Project Update:** Mayor Ayres stated there was a monthly meeting of the Glen Park Committee last Friday. The engineer will be drawing up plans for the Board to review soon. He stated the meeting was very productive and encouraged any Trustee that wishes to attend these meetings are welcomed.

**Full Time Hire for Water Department:** Trustee Reznicek stated the Board of Water Commissioners interviewed several candidates and recommended hiring Kevin Gorman be hired as a Full Time Laborer/Meter Reader at a contractual rate of $15.00 per hour. Trustee Reznicek moved to approve hiring Kevin Gorman as recommended by the Board of Water Commissioners, effective March 1, 2019. Trustee Aronstam seconded the motion, which led to the following vote:

Ayes – 6 (Reznicek, Sweeney, Aronstam, Havens, Sinsabaugh, Ayres)

Nays – 0

Absent – 1 (Burlingame)

The motion carried.

**Full Time Hire for Sewer Department:** Trustee Sweeney stated the Board of Sewer Commissioners interviewed several candidates and recommended hiring Raymond Bonning be hired as a Full Time Laborer at a contractual rate of $15.90 per hour, as he has some prior experience. Trustee Sweeney moved to approve hiring Raymond Bonning as recommended by the Board of Sewer Commissioners, effective March 8, 2019. Trustee Sinsabaugh seconded the motion, which led to the following vote:

Ayes – 6 (Reznicek, Sweeney, Aronstam, Havens, Sinsabaugh, Ayres)

Nays – 0

Absent – 1 (Burlingame)

The motion carried.

**Heat Exchanger at Village Hall:** The clerk submitted a quote from Trane in the amount of $3,778 to replace a cracked heat exchanger. She stated the heating unit in the court area is non-functioning and has shut off for safety reasons. Trane needs to order this part, but should have it installed by the end of this week. Trustee Sinsabaugh moved to approve the quote from Trane as presented. Trustee Havens seconded the motion, which carried unanimously.

**Adjournment**: Trustee Sweeney moved to adjourn at 6:50 p.m. Trustee Sinsabaugh seconded the motion, which carried unanimously. Respectfully submitted,

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Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, MARCH 12, 2019 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Present were Trustees: Burlingame, Sinsabaugh, Sweeney, Havens, Reznicek, Aronstam, and Mayor Ayres

Also present were Clerk Treasurer Wood, Code Enforcement Officer Robinson, Attorney Keene, and Chief Gelatt

Press included Johnny Williams of the Morning Times, and Ron Cole of WATS/WAVR Radio

**Public Comments:** There were no comments offered.

**Approval of Minutes:** Trustee Sinsabaugh moved to approve the Minutes of February 12, and February 26, 2019 as presented. Trustee Reznicek seconded the motion, which carried unanimously.

**Department Report:** The clerk submitted department reports from Parks & Recreation, Code Enforcement, and the Police Department.

Attorney Keene recommended an engineer look at 424 Loder Street and the Village to pursue the unsafe building process. Code Officer Robinson agreed and he will work with Attorney Keene to get a letter to the owner.

Chief Gelatt gave a presentation of his 2018 Annual Police Report. He also stated he is working with the school and local businesses to help promote work-based learning. Students will gain practical training in different environments.

**Treasurer's Reports:** Clerk Treasurer Wood presented the following financial reports:

General Fund 2/1/19 – 2/28/19

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 193,619.19 | Current Revenues | 61,780.30 |
| Deposits | 180,530.38 | Year to Date Revenue | 2,830,433.07 |
| Disbursements | -295,622.69 | Current Expenditures | 177,259.48 |
| Ending Balance | 78,526.88 | Year to Date Expended | 2,507,188.64 |

\*General Capital Reserve Fund, $84,719.16

Cemetery Fund 2/1/19 – 2/28/19

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 7,565.77 | Current Revenues | 7.52 |
| Deposits | .28 | Year to Date Revenue | 31,265.84 |
| Disbursements | -252.02 | Current Expenditures | 252.02 |
| Ending Balance | 7,314.03 | Year to Date Expended | 34,340.10 |

\*Current Estimated Fund Balance $23,113.64

Loan Programs 2/1/19 – 2/28/19

|  |  |  |  |
| --- | --- | --- | --- |
| Business Loans |  | Rehab Loans | Balances |
| Beginning Balance | 22,336.47 | Beginning Balance | 5,608.00 |
| Deposits | 1,224.07 | Deposits | 369.14 |
| Disbursements | 0.00 | Disbursements | 0.00 |
| Ending Balance | 23,560.54 | Ending Balance | 5,977.14 |
| Money Market/Savings | 350,699.21 | MM/Savings Balance | 158,866.43 |
|  |  | Sidewalk Balance | 8,987.00 |
| Total Available Balance | 374,259.75 | Total Available Balance | 173,830.57 |
| Outstanding Loans | 22,507.70 | Outstanding Loans | 31,128.00 |
| Fund Balance | 396,767.45 | Fund Balance | 204,958.57 |

\*The report also outlined the status of individual loan repayments

Capital Projects Fund 2/1/19 – 2/28/19

|  |  |  |  |
| --- | --- | --- | --- |
|  | Glen Park Project | WWTP Upgrade Project | Restore NY 358 Broad Street |
| Beginning Balance | 54,962.47 | 3,212,642.18 | 977.13 |
| Deposits/Debits | 20.00 | 0.00 | 0.00 |
| Disbursements/Credits | -6,505.82 | -310,817.20 | 0.00 |
| Ending Balance | 48,476.65 | 2,901,824.98 | 977.13 |

\*Total Capital Projects Fund Balance $2,950,301.63

**Finance Committee/Approval of Abstract:** Trustee Sinsabaugh presented General Fund bills in the amount of $43,408.12 and moved to approve payment of the abstract. Trustee Burlingame seconded the motion, which carried unanimously.

**Capital Projects Abstract:** Trustee Sinsabaugh moved to approve the following expenditures be paid from the Capital Projects Fund:

Schumaker Consulting Engineers Glen Park Inv 2 $ 1,200.00

Delta Engineers Glen Park Inv 4 9,793.20

Total $10,993.20

Trustee Burlingame seconded the motion, which carried unanimously.

**Glen Park Update:** The Board reviewed Minutes of the Glen Park Committee Meeting. Delta Engineers also attached proposed drawings for the new entrance and asked the Board for their feedback. The Board recommended drawing L-01A, with one basketball court and add additional parking as in drawing L-02B.

**Crossing Guard:** Chief Gelatt stated George Greeno has resigned due to health issues. The Board thanked Mr. Greeno for all his years of service. Chief Gelatt stated Jim Melka is interested in filling the position. Trustee Sweeney moved to promote Jim Melka to fill crossing guard vacancy left by George Greeno, effective immediately. Trustee Sinsabaugh seconded the motion, which carried unanimously.

**Adult Recreation Activities:** Mayor Ayres stated there was a survey done previously regarding what recreational activities our adult/senior population is interested in. He stated the results were in and he has been working with Dave Shaw and he has scheduled different things coming up. As these activities are not costing the village, other that utilizing the community room for presentations once in a while, they are open to anyone that is interested.

**Credit Card Acceptance for Water/Sewer Bills:** The clerk stated many customers are asking about the ability to pay their water/sewer bills online or by credit card. Williamson Law offers the ability to accept credit, debit, and ACH payments. There will be a user charge added to the customer’s bill as a convenience fee, only if they wish to use. The Village will not get this money and it will go directly to the credit card company. This is just another option for payment. The start-up fee is $1,595 and will be shared with water and sewer funds. The annual maintenance fee will increase by $600, which is also shared. Discussion followed. Trustee Reznicek moved to approve proposal as presented. Trustee Havens seconded the motion, which carried unanimously.

**Postage Meter:** The clerk stated our postage meter is up for renewal. She stated there is a possibility that we will may not be able to use our bulk rate mailing (must have 500 of same mailing at one time) due to customers requesting water bills be emailed, she is requesting we upgrade to a postage meter with a form feeder. Trustee Sinsabaugh moved to approve upgrade for the postage meter as presented. Trustee Reznicek seconded the motion, which carried unanimously.

**Complete Count Committee for Census:** Elaine Jardine, Tioga County Planning Director, is asking the Village for representation on the Complete County Committee. They will have meeting about once per month. There were not volunteers for the Board.

**Executive Session:** Trustee Sinsabaugh moved to enter executive session at 7:22 p.m. to discuss an employee contract issue. Trustee Reznicek seconded the motion, which carried unanimously.

Trustee Havens moved to enter regular session at 7:50 p.m. Trustee Sweeney seconded the motion, which carried unanimously.

**Adjournment**: Trustee Havens moved to adjourn at 7:52 p.m. Trustee Reznicek seconded the motion, which carried unanimously. Respectfully submitted,

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Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, MARCH 26, 2019 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Present were Trustees: Sweeney, Aronstam, Reznicek, Sinsabaugh, Burlingame, and Mayor Ayres

Also present was Clerk Treasurer Wood

Press included, Ron Cole of WAVR/WATS, and Johnny Williams of the Morning Times

**Public Comments:** Ron Keene, of 7 Elliott Street, stated in July of 2018 there was a six month moratorium on the maintenance of the Land Bank Properties, and he would like an update on that.

**Dog Park:** Chris Davis, Chairman of the Valley Bark Park, submitted a handout of a drawing of the proposed Williams Suburu Super Center in Athens, PA. The drawing includes a dog park, however, it is only 28’ wide by 200’ long. The Valley Bark Park feels this is not suitable for a dog park and would like to proceed with a place in Waverly. Discussion followed. Trustee Reznicek stated he would volunteer to work with the group as a resident. Mayor Ayres thanked Trustee Reznicek for the offer.

**Letters and Communications:** The clerk read a letter from Tioga County Public Health Director inviting the Board to a ribbon-cutting for the Tioga Smiles Dental Van, on April 9, 2019 at 1:00 p.m. at the Tioga County Office Building, 56 Main Street, Owego.

**Department Report:** The clerk submitted a department report from the Police Department, and their annual report.

**Finance Committee/Approval of Abstract:** Trustee Sinsabaugh presented General Fund bills in the amount of $47,152.68; and Cemetery Fund in the amount of $1.13; and moved to approve payment of the abstracts. Trustee Burlingame seconded the motion, which carried unanimously.

**Glen Park Project Update:** Mayor Ayres stated there are some action items that the engineer is following up on. The next meeting is scheduled for April 26, 2019 at 10:00.

**Clinton Avenue Storm Water Drainage:** Mayor Ayres stated he, Jack Pond, and Clerk Treasurer Wood met with Tim Steed, of Hunt Engineers, regarding the $125,000 grant to upgrade the storm water drainage on Clinton Avenue. This project will need engineering and help with the grant administration. Hunt Engineers will offer a proposal soon.

**Comprehensive Plan:** Mayor Ayres stated there will be a community involvement meeting for the comprehensive plan on April 10, 2019 from 4:00–7:00 p.m. to hear input from the community residents.

**WWTP Upgrade:** Trustee Sweeney stated there was a quarterly meeting for the Wastewater Treatment Plant Upgrade Project. He stated there are a few glitches, such as the filters getting clogged. That is mostly caused by the biology. They are trying to work out the processes. The project is nearing completion.

**Land Bank Properties Update:** Mayor Ayres stated he will be attending the next Land Bank Meeting on April 24th. He stated at January’s meeting, they proposed the demolition of the building would be completed by the end of June. Trustee Sinsabaugh stated the bids for the demolitions went out on Friday.

**Fair Housing Month:** Trustee Sinsabaugh offered the following resolution, and moved its adoption:

WHEREAS, in accordance with the Title VIII Fair Housing Policy of the Civil Rights Act of 1968 and the Fair Housing Amendments Act of 1988 and,

WHEREAS, the month of April 2019 has been designated by the U.S. Department of Housing and Urban Development’s Office of Fair Housing and Equal Opportunity as Fair Housing Month.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of the Village of Waverly hereby declares and proclaims April as Fair Housing Month in the Village.

Trustee Reznicek seconded the motion, which carried unanimously.

**Police Department Training Request:** The clerk read a request from Chief Gelatt seeking approval to send Officer Manuel to Sexual Abuse Investigations Training in Albany, NY, from April 1-5, 2019. This training is being conducted by the NYS Division of Criminal Justice Services and is free of charge, plus room and board. Trustee Sinsabaugh moved to approve Officer Manuel attend the training as requested. Trustee Sweeney seconded the motion, which carried unanimously.

**2019-2020 Tentative Budget / Public Hearing:** Mayor Ayres stated the 2019-2020 Tentative Budget is available at the Clerks’ Office for review. Trustee Sinsabaugh moved to schedule a Public Hearing on April 9, 2019 at 6:00 p.m. to hear comments in regards to the 2019-2020 Tentative Budget, and the clerk to advertise the same. Trustee Reznicek seconded the motion, which carried unanimously.

**Reorganization Meeting:** Trustee Reznicek moved to schedule the Reorganization Meeting for April 1, 2019 at 6:00 p.m. Trustee Aronstam seconded the motion, which carried unanimously.

**Mayor/Board Comments:** Mayor Ayres thanked Trustee Reznicek for his time served as a Trustee, and the Board commented the same. Trustee Reznicek stated he would like to return in the future.

Trustee Aronstam congratulated Mayor Ayres on his re-election.

**Adjournment**: Trustee Reznicek moved to adjourn at 7:24 p.m. Trustee Sinsabaugh seconded the motion, which carried unanimously. Respectfully submitted,

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Michele Wood, Clerk Treasurer

**REORGANIZATION MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:00 P.M. ON MONDAY,**

**APRIL 1, 2019 IN THE TRUSTEES’ ROOM, IN THE VILLAGE HALL**

Present were Trustees: Aronstam, Sweeney, Burlingame, Trustees-Elect Havens, Trustee-Elect Sinsabaugh, Trustee-Elect Engelbert, and Mayor-Elect Ayres

Also Present: Clerk Treasurer Wood

**Call to Order:** Mayor-Elect Ayres called the meeting to order at 6:00 p.m.

**Oaths of Office:**  Clerk Treasurer Wood administered the Oaths of Office to Trustees-Elect: Jerry Sinsabaugh, Charlie Havens, and Keith Engelbert.

**Mayor’s Appointments:** The following appointments were made by Mayor Ayres. Trustee Burlingame moved to approve the appointments as presented. Trustee Sweeney seconded the motion, which carried unanimously.

|  |  |  |
| --- | --- | --- |
| **Name** | **Appointment** | **Term** |
| Michele Wood | Clerk Treasurer | 2 years |
| Kerri Hazen | Deputy Clerk Treasurer | 1 year |
| Betty J. Keene | Village Attorney | 1 year |
| Andrew Aronstam | Deputy Mayor | 1 year |
| Robert Chisari | Code Enforcement/  Building Inspector | 1 year |
| Chris Robinson | Code Enforcement | 1 year |
| Paul Stolicker | Water Board Commissioner | 5 years |
| Lynette Nickels | Justice Court Clerk | 1 year |
| David Boland | Acting Justice | 1 year |
| Julie Dugan | Assessor | 1 year |
| Ronald Nogar | Planning Board | 5 years |
| Steve Dadonna | Recreation Commission | 5 years |
| John Cheresnowsky | Recreation Commission | 2 years |
| Todd Atchison | Zoning Board of Appeals | 5 years |
| Ronald Keene | Cemetery Coordinator | 1 year |
| Teresa Fravel  James Melka  Tom McLean | Crossing Guards | 1 year |
| The Morning Times | Official Publication | 1 year |
| Chemung Canal Trust  Chase Bank | Official Depositories | 1 year |
| Regular Meeting | 2nd Tuesday @ 6:30 p.m. | 1 year |

Check Signature Resolution: Trustee Sinsabaugh offered the following resolution and moved its adoption:

RESOLVED, that checks drawn on the Village Funds be payable on signatures of two out of the four of the following persons: Clerk Treasurer Michele Wood, Deputy Clerk Treasurer Kerri Hazen, Mayor Patrick Ayres, and Deputy Mayor Andrew Aronstam. Trustee Sweeney seconded the motion, which carried unanimously.

**Committee Appointments:**

|  |  |  |  |
| --- | --- | --- | --- |
| Police | Sinsabaugh |  |  |
| Street | Havens |  |  |
| Bldgs, Grounds, Cemetery | Aronstam | Sinsabaugh |  |
| Recreation | Aronstam |  |  |
| Sewer | Sweeney |  |  |
| Water | Burlingame |  |  |
| Planning | Engelbert |  |  |
| Tioga County (COG) | Havens |  |  |
| Finance | Engelbert | Sweeney | Burlingame |
| Merchants | Sweeney |  |  |
| Town of Barton (2 per year) | Sinsabaugh  Sweeney | Engelbert  Havens | Aronstam  Burlingame |

The Town of Barton Meetings are held on the 2nd Monday of the Month at 6:30 p.m. at the

Town of Barton Hall.

**Little League Assistance:**  Mayor Ayres stated he received a request from Little League for help tilling their field and getting it ready for their season. Trustee Sinsabaugh moved to approve the parks and recreation to assist Little League with their request as presented, but only during their regular work hours. Trustee Engelbert seconded the motion, which carried unanimously.

**Adjournment**: Trustee Sweeney moved to adjourn at 6:10 p.m. Trustee Havens seconded the motion, which carried unanimously.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Michele Wood, Clerk Treasurer

**PUBLIC HEARING HELD BY THE BOARD OF**

**TRUSTEES OF THE VILLAGE OF WAVERLY AT 6:00 P.M.**

**ON TUESDAY, APRIL 9, 2019 IN THE TRUSTEES' ROOM,**

**VILLAGE HALL FOR THE PURPOSE OF PUBLIC COMMENT**

**REGARDING TENATIVE 2019-2020 BUDGET**

Mayor Ayres declared the hearing open at 6:00 p.m. and directed the deputy clerk to read the notice of public hearing.

**Roll Call:** Present were Trustees: Aronstam, Burlingame, Sweeney, Sinsabaugh, Havens, Englebert, and Mayor Ayres

Also present were Deputy Clerk Treasurer Hazen.

Press included Johnny Williams of the Morning Times

Mayor Ayres stated the Budget Committee and the department heads worked closely and thanked them for their efforts. He also summarized the budget and opened the floor for comments regarding the tentative 2019-2020 Tentative Budget.

With no one wishing to be heard, Mayor Ayres closed the hearing at 6:09 p.m.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Kerri Hazen, Deputy Clerk/Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, APRIL 9, 2019 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m. and led in the Invocation of the Pledge of Allegiance.

**Roll Call:** Present were Trustees: Sweeney, Havens, Aronstam, Sinsabaugh, Englebert, and Mayor Ayres

Also present were Deputy Clerk Treasurer Hazen, Attorney Keene, and Tioga County Legislator Dennis Mullen

Press included: Ron Cole of WAVR/WATS, and Johnny Williams of the Morning Times

**Moment of Silence:** Mayor Ayres asked for a Moment of Silence for the passing of retired Waverly Police Lieutenant Robert Goble whom passed away on March 22, 2019. He stated Lieutenant Goble served for 25 years from 1957 until retirement in 1983.

**George Greeno Recognition:** Mayor Ayres presented a letter of appreciation to school crossing guard, George Greeno. He stated Mr. Greeno has recently resigned his position. He served as a school crossing guard from October 15, 2003 through March 01, 2019. He thanked Mr. Greeno for his service to the village.

**Public Comments:** Margaret Prinzi of 447 Chemung Street stated she attended the first recreation senior event at village hall and enjoyed it very much.

Merle Hakes of 513 Fulton Street stated he submitted a letter requesting to be considered for any village mowing/snow removal services.

**Letters and Communications:** The deputy clerk read a letter from Waverly/Barton Fire District announcing a meeting to develop a monthly public safety committee meeting with the intent to open communications on any subject those attending representing their respective departments/organizations feel that may be of community importance. The initial meeting will be held April 23, 2019 at 1:00 p.m.at the Waverly/Barton Fire Station.

The deputy clerk read a second letter from Waverly/Baron Fire District stating they would like to upgrade the existing message board sign in front of the fire station to a digital sign. They are requesting monetary forgiveness on the building permit fee for the work to be completed. Trustee Sinsabaugh moved to waive the building permit fee for the digital sign for Waverly/Barton Fire District per request. Trustee Sweeney seconded the motion, which carried unanimously.

The deputy clerk read a letter from Merle Hakes stating he would like to be considered for any upcoming/ongoing village lawn care services including mowing, spring/fall clean-up, and snow removal.

The deputy clerk read a letter from Cooper Coins Band, 15 Spring Street, Waverly, with information regarding a Valley Fun Day to be held June 22, 2019. Mayor Ayres requested Deputy Mayor Aronstam follow-up for more information.

**Approval of Minutes:** Trustee Havens moved to approve the Minutes of March 12, 2019 as presented. Trustee Burlingame seconded the motion, which carried unanimously.

**Department Report:** The deputy clerk submitted department reports from Code Enforcement, Recreation, and the Police Department.

**Finance Committee/Approval of Abstract:** Trustee Burlingame presented General Fund bills in the amount of $51,746.77 and moved to approve payment of the abstract. Trustee Sweeney seconded the motion, which carried unanimously.

**Capital Projects Abstract:** Trustee Sinsabaugh moved to approve the following expenditures be paid from the Capital Projects Fund:

Schumaker Consulting Engineers Glen Park Inv 3 $1,680.98

Total $1,680.98

Trustee Burlingame seconded the motion, which carried unanimously.

**Tioga County Update:** Tioga County Legislator Mullen stated he believes the AIM funding will be reinstated. He also stated all Land Bank properties have been transferred to the Tioga County Land Bank and they will be responsible for all upkeep. Mullen stated Tioga County will be making the village whole for the 2018 village taxes on these properties which is approximately $10,000.

**Comprehensive Plan:** Mayor Ayres stated there will be a community open house on April 10, 2019 from 4-7:00 p.m. in the Village Hall Community Room for public input regarding the updating of the village comprehensive plan. He encourages the community to attend.

**Land Bank:** Mayor Ayres stated as of April 5, 2019 all properties have been transferred to the Land Bank and he and Attorney Keene are reviewing.

**Crossing Guard:** Mayor Ayres read a request from Chief Gelatt requesting approval to hire Jacob Hazen as a per diem crossing guard. He would only be used to fill in as needed. Trustee Sweeney moved to approve Jacob Hazen as presented, at minimum wage per hour. Trustee Burlingame seconded the motion, which carried unanimously.

**Summer Help in Recreation:** The deputy clerk submitted a request from Recreation Director Shaw to hire the following as seasonal part-time personnel for the five-week Summer Recreation Program:

Trevor Campbell 28 hours/week $12.10/hour Director

Zoe Menning 28 hours/week 11.60/hour Assistant Director

Brandon Cantrell 28 hours/week 11.10/hour Counselor

Chenelle Huddleston 28 hours/week 11.10/hour Counselor

Kristyn Johnson 28 hours/week 11.10/hour Counselor

Theresa Kraus 28 hours/week 11.10/hour Counselor

Madison Mitchell 28 hours/week 11.10/hour Counselor

Faith Szoboda 28 hours/week 11.10/hour Counselor

Sarah Uhl 28 hours/week 11.10/hour Counselor

Zachary Vanhouten 28 hours/week 11.10/hour Counselor

Dylan Ward 28 hours/week 11.10/hour Counselor

Jon Ward 28 hours/week 11.10/hour Counselor

Sara Weaver 28 hours/week 11.10/hour Counselor

Caitlin Zimmer 28 hours/week 11.10/hour Counselor

Morgan Zweirlein 28 hours/week 11.10/hour Counselor

Trustee Sinsabaugh moved to approve hiring the seasonal part-time personnel, as requested. Trustee Burlingame seconded the motion, which carried unanimously.

**Summer Help in Parks:** The clerk submitted a request from Recreation Director Shaw to hire the following as seasonal part-time parks laborer:

Dalton Sackett 30 hours per week/13 weeks $11.40/hour

Trustee Sinsabaugh moved to approve hiring the seasonal part-time park laborer, as presented. Trustee Sweeney seconded the motion, which carried unanimously.

**Tioga Opportunities Transportation Initiative:** Carly Hoover of Tioga Opportunities Initiative stated they are looking for volunteers to assist with driving residents aged 60 or older to doctor’s appointments, social services, the bank etc. Volunteers would be reimbursed 50 cents per mile. Mayor Ayres stated he would like a representative to attend one of the senior events to discuss with the senior group.

**2019-2020 Tentative Budget Adoption:** The deputy clerk stated the Board of Water Commissioners and the Board of Sewer Commissions have recommended adoption of their respective budgets as submitted. Trustee Havens moved to adopt the 2019-2020 Tentative Budget as final. The total budgets are: General Fund $3,070,736; Cemetery Fund $48,550; Water Fund $752,104; and Sewer Fund $1,131,865. Trustee Sinsabaugh seconded the motion, which led to a roll call vote, and resulted as follows:

Ayes – 7 (Burlingame, Sweeney, Aronstam, Sinsabaugh, Havens, Englebert, Ayres)

Nays – 0

The motion carried.

The 2019-2020 Budget was adopted as presented.

**Village Historian Appointment:** Mayor Ayres appointed Waverly Historical Society as the new Village Historian with a stipend of $250 to purchase materials/supplies as needed to keep newspaper clippings. Trustee Havens moved to approve the appointment of Waverly Historical Society as presented. Trustee Burlingame seconded the motion, which carried unanimously.

**Trees:** Mayor Ayres reviewed the current process of tree complaints and proposed using Robinson’s Landscaping to monitor and assess tree complaints. He stated he is waiting to hear back from Robinson’s.

**Adjournment**: Trustee Sinsabaugh moved to adjourn at 7:32 p.m. Trustee Englebert seconded the motion, which carried unanimously. Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Kerri Hazen, Deputy Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, APRIL 23, 2019 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Present were Trustees: Burlingame, Sinsabaugh, Sweeney, Havens, Engelbert, Aronstam, and Mayor Ayres

Also present were Clerk Treasurer Wood, Code Enforcement Officer Robinson, and Attorney Keene

Press included Johnny Williams of the Morning Times, and Karen Shepard of The Choice Radio

**Public Comments:** Pat Tappan, Town of Barton Resident, complained that Dave Shaw threatened her son when he was playing on the softball field at East Waverly. She stated Mr. Shaw made the boys rake the field back up. She felt Mr. Shaw should have not yelled at the boys.

Charles Benjamin, 512 Chemung Street, stated he also was there when the boys were yelled at, and he felt Mr. Shaw’s actions were inappropriate and uncalled for. He stated Mr. Shaw had hung signs stating “Stay Off” around the fields. He also felt it was unlawful to forbid the public from using a public facility without proper notice.

Don Merrill, 525 Waverly Street, stated he is tired of looking at 527 Fulton Street as the house is a disgrace. He wants the Board to do something about all of the dilapidated houses in the village.

Sherry Estep, 529 Fulton Street, also complained about the condition of that property. She stated she has called code enforcement many times with no response. She stated the value of her house has decreased by 30%. She feels this property is a hazard to the village.

Ron Keene, 7 Elliott Street, stated it is shameful to have so many homes that are dilapidated. He stated the entrance to the Glen Park is disgraceful. Mr. Keene also stated there are piles of leaves in the cemeteries and asked who is picking them up? He stated he was told by the Street Department that they will not vacuum them up.

Ron Keene, Friends of the Waverly Cemeteries, requested permission for their group to remove broken headstones and replace them with flat stones. The group will be doing some fundraising for this project. Discussion followed. Attorney Keene stated she would need to check the laws on that.

**Letters and Communications:** The clerk read a letter from Doug McFarland requesting a street closure for Forest Street on July 20th from noon to midnight as the neighborhood would like to have a block party. This would be similar to last year’s event. There will be live music until 9:00 p.m. The clerk stated Chief Gelatt had no concerns. Trustee Havens moved to approve the street closure as presented. Trustee Sinsabaugh seconded the motion, which carried unanimously.

The clerk read an email from Steve Dygert requesting use of Muldoon Park on May 2nd at noon for the National Day of Prayer, and they want to have a short prayer service for anyone who wants to attend. There is no admission, people can come and go as they wish. This has been held for several years. Trustee Sinsabaugh moved to approve the street closure as presented. Trustee Engelbert seconded the motion, which carried unanimously.

**Approval of Minutes:** Trustee Sweeney moved to approve the Minutes of March 26, April 1, and

April 9, 2019 as presented. Trustee Havens seconded the motion, which carried unanimously.

**Treasurer's Reports:** Clerk Treasurer Wood presented the following financial reports:

General Fund 3/1/19 – 3/31/19

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 78,526.88 | Current Revenues | 91,173.45 |
| Deposits | 427,584.64 | Year to Date Revenue | 2,921,606.52 |
| Disbursements | -217,010.81 | Current Expenditures | 213,564.11 |
| Ending Balance | 289,100.71 | Year to Date Expended | 2,720,752.75 |

\*General Capital Reserve Fund, $84,733.55

Cemetery Fund 3/1/19 – 3/31/19

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 7,314.03 | Current Revenues | 938.33 |
| Deposits | 930.31 | Year to Date Revenue | 32,204.17 |
| Disbursements | -196.67 | Current Expenditures | 196.67 |
| Ending Balance | 8,047.67 | Year to Date Expended | 34,536.77 |

\*Current Estimated Fund Balance $23,855.30

Loan Programs 3/1/19 – 3/31/19

|  |  |  |  |
| --- | --- | --- | --- |
| Business Loans |  | Rehab Loans | Balances |
| Beginning Balance | 23,560.54 | Beginning Balance | 5,977.14 |
| Deposits | 991.16 | Deposits | 1,021.40 |
| Disbursements | 0.00 | Disbursements | 0.00 |
| Ending Balance | 24,551.70 | Ending Balance | 6,998.54 |
| Money Market/Savings | 350,758.78 | MM/Savings Balance | 158,893.41 |
|  |  | Sidewalk Balance | 8,987.00 |
| Total Available Balance | 375,310.48 | Total Available Balance | 174,878.95 |
| Outstanding Loans | 21,676.95 | Outstanding Loans | 30,138.46 |
| Fund Balance | 396,987.43 | Fund Balance | 205,017.41 |

\*The report also outlined the status of individual loan repayments

Capital Projects Fund 3/1/19 – 3/31/19

|  |  |  |  |
| --- | --- | --- | --- |
|  | Glen Park Project | WWTP Upgrade Project | Restore NY 358 Broad Street |
| Beginning Balance | 48,476.65 | 2,901,824.98 | 977.13 |
| Deposits/Debits | 0.00 | 0.00 | 0.00 |
| Disbursements/Credits | -10,993.20 | -458,005.90 | -597.15 |
| Ending Balance | 37,483.45 | 2,443,819.08 | 379.98 |

\*Total Capital Projects Fund Balance $2,481,302.53

**Finance Committee/Approval of Abstract:** Trustee Sweeney presented General Fund bills in the amount of $48,636.68; Cemetery Fund in the amount of $6,692.91; and Unemployment Fund in the amount of $5.78; and moved to approve payment of the abstracts. Trustee Engelbert seconded the motion, which carried unanimously.

**Capital Projects Abstract:** Trustee Aronstam moved to approve the following expenditures be paid from the Capital Projects Fund:

Delta Engineers Glen Park Inv 5 $ 4,081.50

Corcraft Products Glen Park Inv 677365 56.55

Total $ 4,135.05

Trustee Havens seconded the motion, which carried unanimously.

**Storm Sewer Replacement/Clinton Avenue:** The clerk presented a proposal from Hunt Engineers. Mayor Ayres asked to table discussion for next meeting so it could be reviewed by the Board.

**Valley Fun Day/Cooper Coins Band:** Trustee Aronstam stated this group has been having this for several years in different locations throughout the valley. He stated they have already reserved and paid for East Waverly Park. We would just need an insurance form with the Village of Waverly listed as additionally insured, and they stated they would get that for us. Trustee Aronstam moved to approve Valley Fund Day contingent upon Cooper Coins Band submitting the proper insurance paperwork. Trustee Engelbert seconded the motion, which carried unanimously.

**Replace VAV Motor (HVAC) in Village Hall:** The clerk submitted a proposal from Trane to replace a VAV motor for the unit supplying the Meeting Room. The cost is $1,629. Trustee Havens moved to approve the proposal as presented. Trustee Sweeney seconded the motion, which carried unanimously.

**NYALGRO School (NYS Association of Local Government Records Officers:** The clerk requested that she and Deputy Clerk Treasurer Hazen be approved to attend the NYALGRO School on June 2-4, 2019 in Alexandria Bay, NY. The cost is $30 each plus room and board. The cost will be shared with the Water and Sewer Funds. Trustee Sweeney moved to approve both to attend as presented. Trustee Havens seconded the motion, which carried unanimously.

**Summer Help in Parks:** The clerk submitted a request from Recreation Director Shaw to hire the following as seasonal part-time parks laborer:

Asher Boyer 30 hours per week/13 weeks $11.10/hour

Trustee Sinsabaugh moved to approve hiring the seasonal part-time park laborer, as presented. Trustee Engelbert seconded the motion, which carried unanimously.

**Approval to Dispose of Police Vehicles:** Trustee Aronstam moved to declare the following police cars as surplus vehicles, and dispose of them by auction with proceeds deposited to the General Fund. The 2014 Ford will be utilized by the Summer Recreation Program and auctioned off later in the summer.

2013 Ford Explorer 1FM5K8AR7DGC01897

2014 Ford Explorer 1FM5K8AR9EGA55505

2015 Ford Explorer 1FM5K8AR5FGB43078

Trustee Engelbert seconded the motion, which carried unanimously.

**Approval to Bid New Police Vehicle:** The clerk stated Chief Gelatt requested to place bid for new police vehicle, to be purchased in the 2019-2020 Budget. He will post the bid on the NYS OGS Market Place Website and bid results should be back in 2-3 weeks. Trustee Sinsabaugh moved to approve Chief Gelatt to proceed as presented. Trustee Havens seconded the motion which carried unanimously.

**SEQR Negative Declaration for Area Under Howard Street Overpass:** Trustee Sinsabaugh offered the following resolution, and moved its adoption:

WHERAS: The Village of Waverly requested from the State of New York that the area under the Howard Street Overpass to establish a public parking area; and

WHEREAS: A SEQR Part 1 Short Environmental Assessment Form has been completed by the Village of Waverly Board of Trustees, and said analysis has revealed no significant adverse environmental impacts from this Unlisted Action; and

RESOLVED: That the Village of Waverly Board of Trustees hereby makes a Negative Declaration for SEQR purposes for establishing a public parking area under the Howard Street Overpass.

Trustee Havens seconded the motion, and duly put to a roll call vote, resulting as follows:

Ayes – 6 (Sweeney, Havens, Aronstam, Engelbert, Sinsabaugh, Ayres)

Nays – 0

Absent – 1 (Burlingame)

The motion carried.

**Leaves in Cemeteries:** Trustee Aronstam stated the Parks Department will vacuum the leaves from the cemeteries. The Street Department will pick up the limbs that are in piles.

**Code Enforcement:** Mayor Ayres stated he will be meeting with code enforcement to go over the many issues. They are in the process of revamping the structure of code enforcement. He asked Attorney Keene to go over the process for unsafe buildings. Attorney Keene summarized: the Board would have to declare a building unsafe, would need to hire engineer for a report, notify owner to remedy within an allotted time, get an administrative search warrant to allow engineers into building if owner does not grant permission or cannot be found, Board would declare the building unsafe and make a determination of remedy, and follow-up on remedy. Attorney Keene stated Tioga County has not made a determination if they are making the municipality whole on building remediation, therefore, the village may incur all costs.

Mayor Ayres appointed Trustee Aronstam and Trustee Sweeney to be liaisons to code enforcement. Trustee Engelbert moved to approve the appointments. Trustee Havens seconded the motion, which carried unanimously.

**Mayor/Board Comments:** Mayor Ayres stated the issues and concerns regarding the softball fields will be addressed with Mr. Shaw. Trustee Aronstam will follow-up at next meeting.

Trustee Aronstam stated there is no AED Defibrillator at Village Hall. The police have one in their car. Trustee Havens stated Recreation had one five years ago and it should still be there. Trustee Aronstam stated he would check into it.

**Executive Session:** Trustee Aronstam moved to enter executive session at 7:53 p.m. to discuss an employee contract issue. Trustee Havens seconded the motion, which carried unanimously. Trustee Engelbert had inadvertently left.

Trustee Havens moved to enter regular session at 8:22 p.m. Trustee Sweeney seconded the motion, which carried unanimously.

**DPW Bargaining Agreement:** After review of the tentative agreement with the DPW/Teamsters, Trustee Aronstam moved to approve the tentative agreement as final. Trustee Havens seconded the motion, and duly put to a roll call vote, resulting as follows:

Ayes – 5 (Sweeney, Havens, Aronstam, Sinsabaugh, Ayres)

Nays – 0

Absent – 2 (Burlingame, Engelbert)

The motion carried.

Trustee Sinsabaugh moved to adjust the non-contractual employees’ pay and longevity pay increases to equal the DPW contract. Trustee Havens seconded the motion, and duly put to a roll call vote, resulting as follows:

Ayes – 5 (Sweeney, Havens, Aronstam, Sinsabaugh, Ayres)

Nays – 0

Absent – 2 (Burlingame, Engelbert)

The motion carried.

**Adjournment**: Trustee Aronstam moved to adjourn at 8:26 p.m. Trustee Sweeney seconded the motion, which carried unanimously. Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, MAY 14, 2019 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Present were Trustees: Burlingame, Sinsabaugh, Sweeney, Havens, Engelbert, Aronstam, and Mayor Ayres

Also present were Clerk Treasurer Wood, Code Enforcement Officer Robinson, and Tioga County Legislator Dennis Mullen

Press included Johnny Williams of the Morning Times, and Karen Shepard of The Choice Radio

**Public Comments:** Pat Tappan, Town of Barton Resident, stated she was told that she would be contacted with the result of action taken with Recreation Director Shaw and the softball field issue.

Beverly Cornell stated concern with the newly developed Seniors Program. She stated there was no instructor, schedule is messed up, and the program needs help as people are discouraged. Mayor Ayres acknowledged the issues and apologized for the issues. He stated the first schedule wasn’t to be distributed and somehow it got out. He is working with Recreation Director Shaw on these issues.

Merle Hakes asked the Board why he hasn’t been called to do the mowing.

Ron Keene stated the leaves in the cemetery still has not been picked up. Trustee Aronstam stated he would follow-up in the morning.

Charles Benjamin thanked the Board for the investigation regarding the softball field incident. He stated this was not a personal attack on Mr. Shaw, but we need to follow a moral and ethical code.

**Letters and Communications:** The clerk read a letter from Jacqueline Freeman requesting a road closure for all of Florence Street for the annual block party on July 4, 2019 between 12:00 and 9:00 p.m. Trustee Havens moved to approve request for street closure as presented, contingent upon review by Chief Gelatt. Trustee Burlingame seconded the motion, which carried unanimously.

Mayor Ayres stated Carantuoun Greenway is cleaning up the Forbidden Trail and asked if they get the debris to the edge of the road, could the DPW pick it up. Trustee Sweeney moved to approve the DPW in picking up the debris. Trustee Havens seconded the motion, which carried unanimously.

**GST BOCES Program:** The clerk read a letter, from Georgianna Horvath with GST BOCES, requesting summer hours for the Adult Learning Class be changed to Mondays from 3:00-7:00 p.m. beginning in July through August, and resume to regular hours in September. Trustee Sinsabaugh moved to approve the summer hours as requested. Trustee Engelbert seconded the motion, which carried unanimously.

**Department Report:** The clerk submitted department reports from Code Enforcement, Recreation, and the Police Department.

**Approval of Minutes:** Trustee Sinsabaugh moved to approve the Minutes of April 23, 2019, and

April 9, 2019 as presented. Trustee Engelbert seconded the motion, which carried unanimously.

**Treasurer's Reports:** Clerk Treasurer Wood presented the following financial reports:

General Fund 4/1/19 – 4/30/19

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 289,100.71 | Current Revenues | 63,839.30 |
| Deposits | 104,135.97 | Year to Date Revenue | 2,985,445.82 |
| Disbursements | -246,016.10 | Current Expenditures | 199,986.68 |
| Ending Balance | 150,220.58 | Year to Date Expended | 2,920,739.43 |

\*General Capital Reserve Fund, $84,747.47

Cemetery Fund 4/1/19 – 4/30/19

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 8,047.67 | Current Revenues | 11,258.20 |
| Deposits | 11,250.44 | Year to Date Revenue | 43,462.37 |
| Disbursements | -6,888.45 | Current Expenditures | 6,888.45 |
| Ending Balance | 12,409.66 | Year to Date Expended | 41,425.22 |

\*Current Estimated Fund Balance $28,225.05

Loan Programs 4/1/19 – 4/30/19

|  |  |  |  |
| --- | --- | --- | --- |
| Business Loans |  | Rehab Loans | Balances |
| Beginning Balance | 24,551.70 | Beginning Balance | 6,998.54 |
| Deposits | 2,511.34 | Deposits | 656.03 |
| Disbursements | 0.00 | Disbursements | -178.99 |
| Ending Balance | 27,063.04 | Ending Balance | 7,475.58 |
| Money Market/Savings | 350,816.43 | MM/Savings Balance | 158,919.52 |
|  |  | Sidewalk Balance | 8,987.00 |
| Total Available Balance | 377,879.47 | Total Available Balance | 175,382.10 |
| Outstanding Loans | 20,506.94 | Outstanding Loans | 29,664.07 |
| Fund Balance | 398,386.41 | Fund Balance | 205,046.17 |

\*The report also outlined the status of individual loan repayments

Capital Projects Fund 4/1/19 – 4/30/19

|  |  |  |  |
| --- | --- | --- | --- |
|  | Glen Park Project | WWTP Upgrade Project | Restore NY 358 Broad Street |
| Beginning Balance | 37,483.45 | 2,443,819.08 | 379.98 |
| Deposits/Debits | 28,000.00 | 0.00 | 0.00 |
| Disbursements/Credits | -5,819.03 | -227,582.90 | 0.00 |
| Ending Balance | 59,664.42 | 2,216,236.18 | 379.98 |

\*Total Capital Projects Fund Balance $2,275,900.60

**Finance Committee/Approval of Abstract:** Trustee Burlingame presented General Fund bills in the amount of $47,583.46 and moved to approve payment of the abstracts. Trustee Sweeney seconded the motion, which carried unanimously.

**Tioga County Update:** Tioga County Legislator Mullen stated sales tax continues to increase. There are two properties in the Village of Waverly that is on the county tax foreclosure list at this time, however, they still have time to pay. The Land Bank is moving forward and demolitions should begin in June.

**Storm Sewer Replacement/Clinton Avenue:** Mayor Ayres stated the Board was given a proposal from Hunt Engineers at the last meeting to review. Trustee Havens moved to hire Hunt Engineers to work on the storm sewer replacements on Clinton Avenue at a cost of $10,500. This would be part of the $125,000 grant. Trustee Aronstam seconded the motion, which carried unanimously.

**Vehicle Disposition Results:** The clerk stated the two police vehicles went to State Line Auto Auction, and the proceeds from the auction resulted as follows:

2013 Ford Explorer 1FM5K8AR7DGC01897 $5,895

2015 Ford Explorer 1FM5K8AR5FGB43078 $6,320

**Code Enforcement:** Mayor Ayres stated he met with both code officers, Attorney Keene, Clerk Treasurer Wood, Deputy Clerk Treasurer Hazen and Chief Gelatt. They discussed the properties that are in dire need of repair and maintenance. They sectioned the village, which basically means Code Officer Robinson will take charge of the properties that are north of Chemung Street, and Code Officer Chisari will take charge of the properties that are south of Chemung Street. This will help define responsibilities.

**Paving:** Trustee Havens presented the following proposed paving projects from DPW Lead Jack Pond:

Broad Street (Spaulding Street to Hickey Street)

Athens Street (Tioga Street to Chemung Street)

Lincoln Street (Lyman Avenue to Spring Street)

Hickory Street (Waverly Street to School)

Garfield Street (William Street to Spring Street)

Providence Street (Pennsylvania Avenue to Spaulding Street)

Howard Street (Bridge to Spaulding Street)

**Summer Help in Street Department:** Trustee Havens submitted Street Operator Pond’s recommendation to hire Brandon Stillman and Lars Fraley for temporary part-time laborer work in the Street Department at a rate of $11.10 per hour and 32 hours per week, for 13 weeks. Trustee Havens stated that Mr. Stillman will only be working for a month and Mr. Fraley would work the rest of the summer. He clarified that only one helper would be working at a time. Trustee Havens moved to approve hiring Brandon Stillman and Lars Fraley as presented. Trustee Sinsabaugh seconded the motion, which carried unanimously.

**Summer Help in Parks:** The clerk submitted a request from Recreation Director Shaw to hire Brandon Ellers at a rate of $11.10 per hour, 32 hours per week/13 weeks. He will replace Dalton Sackett as he has accepted an internship with a local business. Trustee Havens moved to approve hiring the seasonal part-time park laborer, as presented. Trustee Engelbert seconded the motion, which carried unanimously.

**Tax Rate Resolution:** Trustee Sinsabaugh offered the following resolution and moved its adoption:

WHEREAS, the Board, by resolution passed at the Regular Meeting held April 9, 2019, adopted its annual budget for the fiscal year, commencing June 1, 2019 and ending May 31, 2020; and,

WHEREAS, the total of taxable property in said Village as shown on the current assessment roll has been determined to be $72,173,787; and,

WHEREAS, the Board of Trustees of the Village of Waverly, by resolution dated the same date appropriated the sum of $3,070,736; less estimated revenues of $985,836 or a balance of $2,084,900 to be raised by real estate taxes, said Board of Trustees hereby levies the following tax pursuant to the provisions of the Real Property Tax Law of the State of New York upon the taxable property of the Village of Waverly, to wit: upon all taxable property of the Village of Waverly; and,

BE IT RESOLVED, that the tax rate on account of said levy be set at the rate of $28.887 per each $1,000 of assessed valuation; and,

BE IT FURTHER RESOLVED, that the Village Clerk/Treasurer be directed to extend and carry out upon the tax roll of the Village of Waverly, the amount to be levied against the value of each parcel of real property owed thereon; and,

It further appearing that the Board of Water Commissioners of the Village of Waverly has filed with the Clerk of the Board of Trustees its certificate in writing, indicating certain unpaid water rents and penalties thereon, as of May 1, 2019 with the properties against which said unpaid water rents are charged.

NOW, THEREFORE, BE IT RESOLVED, that a total amount of such unpaid water rents in the amount of $18,631.57 be levied pursuant to the provision of the Village Law against said properties, as set forth, on said certificate, and in the amount set forth, and,

It further appearing that the Board of Sewer Commissioners of the Village of Waverly has filed with the Clerk, its certificate in writing, indicating certain unpaid sewer rents and penalties thereon, as of May 1, 2019 with the properties against which said unpaid sewer rents are charged.

NOW, THEREFORE, BE IT RESOLVED, that a total amount of such unpaid sewer rents in the amount of $15,418.27 be levied pursuant to the provision of the Village Law against said properties, as set forth on said certificate, and in the amount set forth, and,

It further appearing that the Board of Sewer Commissioners of the Village of Waverly has filed with the Clerk, its certificate in writing, indicating certain unpaid debt service charges (capital charges) and penalties thereon, as of May 1, 2019 with the properties against which said unpaid sewer rents are charged.

NOW, THEREFORE, BE IT RESOLVED, that a total amount of such unpaid debt service charges (capital charges) in the amount of $13,628.52 be levied pursuant to the provision of the Village Law against said properties, as set forth on said certificate, and in the amount set forth, and,

NOW, THEREFORE, BE IT RESOLVED, that a total amount of $1,627.00 of unpaid grass and weeds removal be levied pursuant to the provision of the Village Law against said properties, as set. Forth, on said certificate, and,

NOW, THEREFORE, BE IT RESOLVED, that a total amount of $60.00 of unpaid snow removal be levied pursuant to the provision of the Village Law against said properties, as set. Forth, on said certificate, and,

NOW THEREFORE, BE IT RESOLVED, that a total amount of $86.40 of prorated tax bills be levied pursuant to the provision of the Village Law against said properties, as set Forth, on said certificate, and,

NOW THEREFORE, BE IT RESOLVED, that a total amount of $40.90 of unsafe building remediation charges be levied pursuant to the provision of the Village Law against said properties, as set Forth, on said certificate, and,

BE IT FURTHER RESOLVED, that the Village Clerk be directed to extend and carry out upon said tax roll of the Village of Waverly the amount so levied against the several parcels of real property:

Trustee Aronstam seconded the motion, and duly put to a roll call vote, resulting as follows:

Ayes – 7 (Sweeney, Burlingame, Engelbert, Havens, Aronstam, Sinsabaugh, Ayres)

Nays – 0

The motion carried.

**West Pine Street:** Mayor Ayres stated the section of West Pine Streetthat is adjacent to Waverly Glen seems to be deteriorating. He stated the engineers had concerns with it when they were at the park. Trustee Havens also stated it was not in good shape when he worked with us. The Town of Barton looked at it a few years ago and said there was no issues. Mayor Ayres asked the Board for support for him to write an official letter to the Town of Barton to have an engineering assessment done, and to respond within 30 days. This could potentially be hazardous condition. Trustee Havens moved to authorize the Mayor to send a letter to the Town of Barton as presented. Trustee Engelbert seconded the motion, which carried unanimously.

**Early Voting in Tioga County:** The clerk stated early voting in Tioga County will take place between October 26th to November 3rd at Tioga County Board of Elections.

**NYMIR Training:** Mayor Ayres stated NYMIR will be holding training on Workplace Violence Prevention and Sexual Harassment Prevention at Village Hall on May 22nd from 9:00 – 11:30 a.m. This is a mandatory training for all employees and Mayor Ayres strongly encouraged Trustees to attend.

**New Tree Planting:** The clerk stated there are two properties that would like trees planted as street trees. Both prefer lilac trees. The cost from Robinson Contracting & Landscaping is $275 each, which includes planting and a one-year warranty. The properties are 37 Cadwell Avenue, and 18 Lincoln Street. The Board was aware that 18 Lincoln Street is Clerk Treasurer Wood’s property. Trustee Havens moved to approve the new trees as presented. Trustee Sweeney seconded the motion, which carried unanimously.

**Tree Removal at 111 Elm Street:** Mayor Ayres stated he has a request to remove a tree from 111 Elm Street so that the residents can put in a driveway. He stated he would refer it to DPW.

**Purchase of Police Car:** Trustee Sinsabaugh stated he and Chief Gelatt discussed replacement of the 2017 Ford Police IU (Interceptor Utility, Explorer) with a 2020 Ford Police IU. He submitted the following bids from NYS OGS:

Van Bortel Ford $36,260.84

Beyer Ford LLC $35,850.82

Lithia Motors, Inc $36,665.20

Genesee Valley Ford $36,834.00

Trustee Burlingame moved to purchase a 2020 Ford Police IU as bid from Beyer Ford, LLC in the amount of $35,850.82, and to be paid in full at the time of delivery. Trustee Sinsabaugh seconded the motion, which led to a roll call vote, as follows:

Ayes – 7 (Burlingame, Sweeney, Aronstam, Havens, Engelbert, Sinsabaugh, Ayres)

Nays – 0

The motion carried.

**Mayor/Board Comments:** Trustee Engelbert stated he attended the Planning Board Meeting and they are working on the Comprehensive Plan. They are looking at areas of concern, and two major concerns were bad sidewalks and cars speeding on the streets. He stated there were approximately 200 responses to the survey.

**Executive Session:** Trustee Engelbert moved to enter executive session at 7:57 p.m. to discuss a litigation for an assessment review case. Trustee Sinsabaugh seconded the motion, which carried unanimously.

Trustee Sinsabaugh moved to enter regular session at 8:16 p.m. Trustee Burlingame seconded the motion, which carried unanimously.

**Assessment Review Litigation:** Trustee Aronstam moved to hire Mackenzie & Hughes for legal support for the Chemung Canal Trust Company’s Assessment litigation, and Mayor Ayres to sign proposal. Trustee Engelbert seconded the motion, which carried unanimously.

**Adjournment**: Trustee Sweeney moved to adjourn at 8:18 p.m. Trustee Burlingame seconded the motion, which carried unanimously. Respectfully submitted,

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Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, MAY 28, 2019 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance. Mayor Ayres asked for a Moment of Silence for the passing of Water Commissioner Troy Campbell.

**Roll Call:** Present were Trustees: Burlingame, Sweeney, Havens, Engelbert, Aronstam, and Mayor Ayres

Also present were Clerk Treasurer Wood, and Attorney Keene

Press included Johnny Williams of the Morning Times, and Karen Shepard of The Choice Radio

**Public Comments:** Sherry Estep, 529 Fulton Street, thanked Code Officer Robinson for his help in getting some clean-up at 527 Fulton.

Amy Brisson, 526 Fulton Street, also thanked him for the work that has been done. She also stated the street drains are not draining properly between 530-535 Fulton Street. Trustee Havens stated he would discuss with DPW.

Laura Houseknecht, 527 Fulton Street, stated she feels she is being harassed by her neighbors. She received a letter from Code Enforcement and she has been working on cleaning up the property.

**Finance Committee/Approval of Abstract:** Trustee Burlingame presented General Fund bills for May (current year) in the amount of $15,824.14; and Cemetery Fund in the amount of $656.56; and moved to approve payment of the abstracts. Trustee Engelbert seconded the motion, which carried unanimously.

Trustee Burlingame presented General Fund bills for June (new year) in the amount of $67.34; and Cemetery Fund in the amount of $6,400.00; and moved to approve payment of the abstracts. Trustee Havens seconded the motion, which carried unanimously.

**Capital Projects Abstract:** Trustee Aronstam moved to approve the following expenditures be paid from the Capital Projects Fund:

Delta Engineers Glen Park Inv 6 $ 7,515.13

Trustee Burlingame seconded the motion, which carried unanimously.

**Storm Sewer Replacement/Clinton Avenue:** Mayor Ayres stated Tim Steed, with Hunt Engineers, is coming this week to survey the proposed areas. He will then estimate the cost per foot. Mayor Ayres stated he would like to see that we take advantage of the grant and possibly allocate more funds to get more area done while the contractors are here. He asked the Board to think about it and will discuss when the estimate is done.

**Code Enforcement:** Mayor Ayres stated many letters have went out regarding code issues. Some properties are working toward compliance. Code Officer Robinson is monitoring the grass mowing.

**West Pine Street:** Mayor Ayres stated he personally delivered the letter to the Town of Barton requesting them to get an engineering assessment done due to safety concerns.

**Senior Citizen Program:** Mayor Ayres stated he met with the Senior Citizen’s Group and apologized for the previous mis-steps that occurred. They discussed projects that they would like to do. They will be having a picnic on June 11th at the Waverly Glen. Mayor Ayres stated the village receives funds from Tioga County and the Town of Barton for adult recreation, therefore, the village will purchase the food for this picnic.

**Land Bank Update:** Mayor Ayres stated the Land Bank is still finalizing contracts. They will start demolitions for the home in Owego first, and then do the six in the Village of Waverly. They should all be done by the end of July. They have also contracted to have the yards mowed, therefore, we do not have to maintain them any longer.

**Parking Area/Howard Street Overpass:**  Mayor Ayres stated we received our official permit from NYS to allow parking under the Howard Street Overpass. He asked Trustee Havens to discuss with DPW Jack Pond to come up with ideas to improve the area.

**Water Board Appointment:** Mayor Ayres appointed Jon Reynolds to the Board of Water Commissioners to fill the vacancy of Troy Campbell. Trustee Aronstam moved to approve the appointment. Trustee Havens seconded the motion, which carried unanimously.

**2018-2019 Budget Transfers:** Trustee Havens moved to approve the following budget transfers as presented. Trustee Burlingame seconded the motion, which carried unanimously.

|  |  |  |  |
| --- | --- | --- | --- |
| **Line Item** | **Description** | **Transfer In:** | **Transfer Out:** |
| A 1110.0100 | court-full time | 1,118 |  |
| A 1110.0145 | court-sick | 735 |  |
| A 1110.0405 | court-telephone | 160 |  |
| A 1325.0100 | treasurer-full time | 372 |  |
| A 1325.0145 | treasurer-sick | 545 |  |
| A 1325.0148 | treasurer-holiday | 98 |  |
| A 1325.0400 | treasurer-contractual expense | 500 |  |
| A 1355.0142 | assessor-part time | 300 |  |
| A 1355.0400 | assessor-expense |  | 1,500 |
| A 1410.0145 | clerk-sick | 2,010 |  |
| A 1410.0148 | clerk-holiday | 324 |  |
| A 1420.0400 | law-expense | 500 |  |
| A 1410.0100 | elections | 100 |  |
| A 1620.0400 | bldg-contractual expense | 3500 |  |
| A 1620.0401 | bldg-fuel | 500 |  |
| A 1620.0402 | bldg electric |  | 2,000 |
| A 1620.0403 | bldg-repairs | 10,000 |  |
| A 1910.0400 | unallocated insurance | 805 |  |
| A 1930.0400 | judgement & claims |  | 2,000 |
| A 1989.0400 | misc-other GGS |  | 22,000 |
| A 1990.0400 | contingency |  | 62,460 |
| A 3120.0100 | police-full time |  | 22,000 |
| A 3120.0142 | police-part time | 640 |  |
| A 3120.0145 | police-sick | 11,714 |  |
| A 3120.0146 | police-overtime | 18,220 |  |
| A 3120.0148 | police-holiday | 346 |  |
| A 3120.0149 | police-vacation | 730 |  |
| A 3120.0200 | police-equipment | 25,000 |  |
| A 3120.0404 | police-car repairs | 1,000 |  |
| A 3120.0406 | police-gasoline |  | 5,000 |
| A 3120.0408 | police-training | 750 |  |
| A 3620.0142 | code-part time | 739 |  |
| A 3620.0400 | code-expense | 200 |  |
| A 5110.0100 | street-full time |  | 2,500 |
| A 5110.0142 | street-part time |  | 1,950 |
| A 5110.0145 | street-sick | 4,527 |  |
| A 5110.0146 | street-overtime | 1,936 |  |
| A 5110.0148 | street-holiday | 253 |  |
| A 5110.0149 | street-vacation |  | 1,000 |
| A 5110.0200 | street-equipment | 25,000 |  |
| A 5110.0400 | street-computer IT svcs | 3,000 |  |
| A 5110.0401 | street salt & sand | 1,500 |  |
| A 5110.0403 | street-equip repair | 7,000 |  |
| A 5110.0404 | street-street repairs | 12,000 |  |
| A 5110.0405 | street-telephone | 800 |  |
| A 5110.0407 | street-shop & traffic lights | 2,500 |  |
| A 5110.0408 | street-paint | 1,000 |  |
| A 5110.0409 | street-storm sewers | 12,000 |  |
| A 5110-0411 | street-signs | 500 |  |
| A 5110.0412 | street-misc | 1,000 |  |
| A 5112.0200 | permanent improvement | 23,958 |  |
| A 7110.0142 | parks-part time | 741 |  |
| A 7110.0145 | parks-sick | 492 |  |
| A 7110.0148 | parks-holiday | 316 |  |
| A 7110.0403 | parks-bldg repairs | 2,500 |  |
| A 7110.0404 | parks-equip repairs | 1,000 |  |
| A 7110.0409 | parks-heating gas | 50 |  |
| A 7310.0100 | rec-full time | 2,669 |  |
| A 7310.0142 | rec-part time |  | 3,535 |
| A 7310.0200 | rec-equipment | 2,500 |  |
| A 7310.0400 | rec-contractual expense |  |  |
| A 7310.0401 | rec-misc supplies | 1,500 |  |
| A 7310.0405 | rec-telephone | 50 |  |
| A 7550.0400 | celebrations | 65 |  |
| A 7620.0400 | adult recreation | 300 |  |
| A 8560.0400 | shade trees |  | 6,118 |
| A 9010.0800 | employee retirement |  | 16,000 |
| A 9015.0800 | police retirement |  | 15,000 |
| A 9030.0800 | social security |  | 5,000 |
| A 9040.0800 | workman’s comp ins |  | 7,000 |
| A 9060.0800 | health insurance |  | 10,000 |
| A 9901.0903 | trans to cemetery fund |  | 5,000 |
|  |  |  |  |
| **TOTAL** | **To Balance Only No Change to Total Budget** | **188,945** | **188,945** |

**2018-2019 Budget Amendments:** Trustee Havens moved to approve the following budget transfers as presented. Trustee Engelbert seconded the motion, which carried unanimously.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Revenues/Grants** | |  |  | **Expense Offset by Special Rev/Grants** | | |
| *A 510 Estimated Revenues* |  | *Credit* |  | *A 960 Estimated Appropriations* |  | *Debit* |
| A 3501 | CHIPS | 65,358 |  | A 5112.0200 | CHIPS | 65,358 |
| A 2801 | Interfund Rev | 36,598 |  | A 9060.0800 | health ins | 36,598 |
| **TOTAL** | **Revenue** | **101,956** |  | **TOTAL** | **Expenditures** | **101,956** |

**Building Safety Assessments:**  Mayor Ayres stated he attended the NYMIR Training and has some concerns with the safety of our employees and buildings. He asked Trustee Burlingame if he would work with Chief Gelatt to help assess the buildings for safety risks and security. Trustee Burlingame accepted.

**Mayor/Board Comments:** Trustee Aronstam stated the Waverly Recreation Booster Club has filed a grant application with Tioga Downs for the Waverly Glen Park Project. He stated he would let the Board know the results when he finds out. Mayor Ayres thanked him and Rebecca Maffei for their work on that.

Trustee Aronstam also stated the Booster Club will be holding its annual golf tournament on August 4th at Tomasso’s Golf Course. Proceeds will go to the Waverly Recreation Program.

**Executive Session:** Trustee Aronstam moved to enter executive session at 6:55 p.m. to discuss a potential litigation. Trustee Havens seconded the motion, which carried unanimously.

Trustee Aronstam moved to enter regular session at 7:17 p.m. Trustee Engelbert seconded the motion, which carried unanimously.

**Adjournment**: Trustee Aronstam moved to adjourn at 8:26 p.m. Trustee Burlingame seconded the motion, which carried unanimously. Respectfully submitted,

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Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, JUNE 11, 2019 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Present were Trustees: Burlingame, Sinsabaugh, Havens, Engelbert, Aronstam, and Mayor Ayres

Also present were Clerk Treasurer Wood, and Code Enforcement Officer Robinson

Press included Johnny Williams of the Morning Times, and Karen Shepard of The Choice Radio

**Public Comments:** Margaret Prinzi, 447 Chemung Street, asked if there was any further discussion on the proposed drug rehab center. She also stated there are cars speeding on Chemung Street and Spring Street.

**Department Reports:** The clerk submitted department reports from Code Enforcement, Recreation, and the Police Department. Trustee Sinsabaugh recognized Officer Dekay for his help in delivering a baby. Trustee Aronstam stated a large tree limb broke in front of his house and the Police were there immediately. The DPW were also there in about 15 minutes.

**Approval of Minutes:** Trustee Havens moved to approve the Minutes of May 14, and May 28, 2019 as presented. Trustee Sinsabaugh seconded the motion, which carried unanimously.

**Finance Committee/Approval of Abstract:** Trustee Burlingame presented General Fund bills for May in the amount of $11,280.16 and moved to approve payment of the abstract. Trustee Engelbert seconded the motion, which carried unanimously.

Trustee Burlingame presented General Fund bills for June in the amount of $53,817.51 and moved to approve payment of the abstract. Trustee Engelbert seconded the motion, which carried unanimously.

**Capital Projects Abstract:** Trustee Burlingame moved to approve the following expenditures be paid from the Capital Projects Fund:

Delta Engineers Glen Park Inv 7 $ 5,330.00

Shumaker Consultants Glen Park Inv 4 2,881.68

Total $ 8,214.68

Trustee Aronstam seconded the motion, which carried unanimously.

**West Pine Street/Town of Barton:** Trustee Engelbert stated he attended the Town of Barton Meeting and they discussed the issue with West Pine Street. They stated their next course of action may be contacting an engineer to inspect, and research grant opportunities. Trustee Engelbert stated the Town Board also feels the issue with West Pine Street needs to be addressed.

**Parking Area/Howard Street Overpass:** Trustee Havens met with Jack Pond. They will meet again once school is out and paving is done.

**Safety Assessments on Village Buildings:** Trustee Burlingame met with Chief Gelatt, and they are reviewing NYMIR’s recommendations. They will meet again and develop recommendations.

**Letter of Resignation:** The clerk read a Letter of Resignation from Ron Nogar, of the Planning Board, effective immediately. He asked that anyone interested in filling the vacancy should contact the clerk’s office.

**CDBG Program Bid Opening:** Mayor Ayres stated we received one bid for the administration and program delivery services of our 2018 CDBG Award. Thoma Development Consultants bid $87,500. Mayor Ayres stated this cost will come out of the award funding. Trustee Aronstam moved to accept Thoma Development Consultants’ bid for services as presented, and authorize Mayor Ayres to sign the contract. Trustee Engelbert seconded the motion, which led to the following roll call vote.

Ayes - 6 (Sinsabaugh, Aronstam, Burlingame, Sinsabaugh, Havens, Engelbert, Ayres)

Nays - 0

Absent – 1 (Sweeney)

The motion was carried.

**Taser Training/Certification:** The clerk read a request from Chief Gelatt seeking approval to send Officer Brett Preshur to Taser Recertification Training in Carmel, NY, from July 8-9, 2019. This training is being conducted by AXON (TASER) at a cost of $495, plus room and board. Trustee Sinsabaugh moved to approve Officer Brett Preshur attend the training as requested. Trustee Burlingame seconded the motion, which carried unanimously.

**Mayor/Board Comments:** Trustee Aronstam submitted a list of fundraising events offered by the Waverly Recreation Booster Club. He stated the proceeds from these events will be donated to the Glen Park Project. Mayor Ayres thanked Trustee Aronstam and Rebecca Maffei, Tioga County Tourism, for their work on this.

Mayor Ayres stated code enforcement has sent out many violations in the past few weeks and he sees many improvements with properties around the village.

Mayor Ayres stated he has not heard anything regarding the proposed rehab center, CASA-Trinity. He stated grant processes can take a very long time.

Mayor Ayres agreed with Margaret Prinzi that the traffic seems to have increased over the years. He will reach out to NYS DOT regarding a possibility of doing a traffic study. He will also discuss with Chief the issues with speeding.

**Executive Session:** Trustee Havens moved to enter executive session at 7:00 p.m. to discuss a specific employee issue. Trustee Sinsabaugh seconded the motion, which carried unanimously.

Trustee Sinsabaugh moved to enter regular session at 7:13 p.m. Trustee Havens seconded the motion, which carried unanimously.

**Assessment Review Litigation:** Trustee Aronstam moved to hire Mackenzie & Hughes for legal support for the Chemung Canal Trust Company’s Assessment litigation, and Mayor Ayres to sign proposal. Trustee Engelbert seconded the motion, which carried unanimously.

**Adjournment**: Trustee Sinsabaugh moved to adjourn at 7:14 p.m. Trustee Aronstam seconded the motion, which carried unanimously. Respectfully submitted,

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Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, JUNE 25, 2019 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance. Mayor Ayres asked for a Moment of Silence for the passing of Donald Merrill.

**Roll Call:** Present were Trustees: Burlingame, Sweeney, Havens, Engelbert, Sinsabaugh, Aronstam, and Mayor Ayres

Also present were Clerk Treasurer Wood, and Attorney Keene

Press included Johnny Williams of the Morning Times, and Karen Shepard of The Choice Radio

**Public Comments:** Linda Vogel, Waverly Rotary, stated Don Merrill started the Exit Beautification Project for Exit 61 many years ago, and it will continue.

Linda Vogel also asked the Board to request NYS DOT put stone or something else in the green space at the end of Spring Street at Route 34, as it is unkempt and looks terrible. Mayor Ayres stated he would discuss with our DPW to keep it mowed. She also stated the hillside on Chemung Street, between Cayuta Avenue and Route 34 also needs attention.

Cheryl Deibler, 90 Lincoln Street, submitted pictures of the water that runs off the hill during rain. It runs through her property. She asked if this could be addressed and possible some drainage installed. She stated it has gotten worse over the years. Mayor Ayres stated he would discuss with the Town of Barton and the DPW.

Ron Keene, Friends of the Waverly Cemeteries, stated the trees were removed; however, topsoil was dumped at the edge and is still there. He asked when it would be the soil would be spread and seeded. He stated there has been some vandalism at Forest Home and stones were pushed over. He stated the hedges are dead at Forest Home and feels they should be removed and fencing installed. Mr. Keene stated the Historic Sign at Glenwood Cemetery was hit by a mower and veterans’ flags have been mowed over and chewed up. He also stated that improper fill was put in a recent grave. It was filled in with gravel and it needs to be covered with topsoil and seeded.

Mayor Ayres thanked the first responders, Waverly DPW, and Police for their quick response to the flooding from the recent rain storm that caused flash flooding of the streets.

**Treasurer's Reports:** Clerk Treasurer Wood presented the following financial reports:

Cemetery Fund 5/1/19 – 5/31/19

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 15,264.73 | Current Revenues | 3,059.66 |
| Deposits | 0.00 | Year to Date Revenue | 46,522.03 |
| Disbursements | -656.56 | Current Expenditures | 876.62 |
| Ending Balance | 14,608.17 | Year to Date Expended | 42,301.84 |

\*Current Estimated Fund Balance $28,153.82

Loan Programs 5/1/19 – 5/31/19

|  |  |  |  |
| --- | --- | --- | --- |
| Business Loans |  | Rehab Loans | Balances |
| Beginning Balance | 27,063.04 | Beginning Balance | 7,475.58 |
| Deposits | 838.97 | Deposits | 473.52 |
| Disbursements | 0.00 | Disbursements | 0.00 |
| Ending Balance | 27,902.01 | Ending Balance | 7,949.10 |
| Money Market/Savings | 350,899.79 | MM/Savings Balance | 158,955.56 |
| Due from CP/Glen Park | 60,000.00 | Sidewalk Balance | 8,897.00 |
| Total Fund Balance | 438,801.80 | Total Available Balance | 175,891.66 |

\*outstanding loans $19,791.28 \*outstanding loans $29,196.58

**Finance Committee/Approval of Abstract:** Trustee Burlingame presented General Fund bills for May (previous year) in the amount of $10,104.06; and Cemetery Fund in the amount of $24.52; and moved to approve payment of the abstracts. Trustee Sweeney seconded the motion, which carried unanimously.

Trustee Burlingame presented General Fund bills for June (current year) in the amount of $55,932.04; Recreation Commission in the amount of $6,700.00; and Cemetery Fund in the amount of $6,400.00; and moved to approve payment of the abstracts. Trustee Sweeney seconded the motion, which carried unanimously.

**Storm Sewer Replacement/Clinton Avenue:** Mayor Ayres stated we should have bid documents at the next meeting. The documents should have the cost estimate included.

**Glen Park Project Update:** Mayor Ayres stated there was a meeting last Thursday and we should have specs at the next meeting. He stated work should begin in the Fall, after Glen Park is closed for the season.

**West Pine Street:** Mayor Ayres submitted pictures of the deterioration. He stated it has deteriorated more since the rain event last week. He contacted the Town of Barton Highway Supervisor and he came out and looked at it. He will also contact Dick Cary, Town of Barton Superintendent.

**Building Safety Assessments:**  Trustee Burlingame stated he met with Chief Gelatt and they are reviewing some issues and potential modifications.

**Approval to Reverse Water/Sewer Penalties, District B:** Clerk Treasurer Wood stated the water/sewer customers in District B were billed for in April. Many customers called and stated they did not receive their bills. She called Post Office to file a complaint, which they took no responsibility. Last week, we sent out approximately 3X the normal Shut-off Notices and we received numerous complaints about not receiving their bills and getting penalized for it. The amount of complaints was clearly unusual. Again, Post Office would take no responsibility. The clerk informed the Water Board and they recommended the penalties be reversed. The clerk stated she had not taken this to the Sewer Board due to the time restraints. District B will get billed again in July, and if approved, would reflect a credit for their previous penalties. Trustee Havens moved to reverse penalties charged on delinquent water/sewer bills for District B customers billed in April. Trustee Sweeney seconded the motion, which carried unanimously.

**Sidewalk Replacement Program Application:** The clerk presented application SP15-10, and stated the application was reviewed and determined eligible. This will replace 115’ of public sidewalk. Due to the estimates given, the program would cover a total of $1,000 and the homeowner would be responsible for the balance. Trustee Sinsabaugh moved to approve application SP15-10 as presented, and to approve the reimbursement of $1,000 when complete. Trustee Engelbert seconded the motion, which carried unanimously.

**Village Local Law: Sidewalk Repair/Replacement:** Mayor Ayres stated that Code Enforcement hasn’t issued any sidewalk violations. He submitted a copy of the local law (125-42, B1) which states the Board of Trustees shall determine that a sidewalk should be replaced and cause notice to be served upon property owner. Also, in the local law (125-42, B2) says the Board of Trustees may cause sidewalk to be replaced and entire cost chargeable to property owner in the manner provided by law.

Discussion regarding local law 125-42 followed. The consensus of the Board was that it is the responsibility of the Board of Trustees to ensure the safety of its residents. Further discussion will take place on a procedure to move forward. Mayor Ayres would like to see more people take advantage of our Sidewalk Replacement Program.

**Replacement of Village Garbage Cans:** Mayor Ayres stated the garbage cans in the Business District are broken, falling apart, and look terrible. He submitted books showing different styles and pricing and asked the Board to review before the next meeting. He would like to replace all four (4) garbage cans. The clerk stated the costs could be taken from “Other Gov’t Services, or Shared Services” in the budget.

**Tioga County Commercial Exterior Free Paint Program:**  Mayor Ayres stated Tioga County has a Free Exterior Paint Program for commercial properties and hope that some of our business owners will take advantage of it.

**Tioga County Free Summer Meals:**  Mayor Ayres stated Tioga County is offering free summer meals throughout the county for Kids and Teens that are 18 and under. In Waverly, they will offer breakfast and lunch from July 1st to August 16th at the High School and at East Waverly Park until August 2nd.

**Cornell Cooperative Extension Request:**  The clerk read a letter from Cornell Cooperative Extension requesting the use of the large pavilion in Waverly Glen for a 6-week cooking class. This is a free lass that they offer to parents and children to learn to cook low budget meals. The dates needed are Wednesdays, July 3 through August 7th (excluding July 10th). They are also requesting to waive the rental fees. Trustee Sinsabaugh moved to approve the use as presented and to waive the fees as they work through Tioga County. Trustee Havens seconded the motion, which carried unanimously.

**Executive Session:** Trustee Havens moved to enter executive session at 7:34 p.m. to discuss a specific employee issue. Trustee Burlingame seconded the motion, which carried unanimously.

Trustee Engelbert moved to enter regular session at 7:47 p.m. Trustee Sweeney seconded the motion, which carried unanimously.

**Adjournment**: Trustee Aronstam moved to adjourn at 7:48 p.m. Trustee Sweeney seconded the motion, which carried unanimously. Respectfully submitted,

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Michele Wood, Clerk Treasurer

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**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, JULY 9, 2019 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Present were Trustees: Burlingame, Sweeney, Havens, Engelbert, Sinsabaugh, Aronstam, and Mayor Ayres

Also present were Clerk Treasurer Wood, Attorney Keene, Code Officer Robinson, and Tioga County Legislator Dennis Mullen

Press included Johnny Williams of the Morning Times, and Karen Shepard of The Choice Radio

**Proclamation:** Mayor Ayres presented a proclamation to Chip Roberts, President of the Waverly Rotary Club, proclaiming that July 20, 2019 be Waverly Rotary Club Day in the Village of Waverly. Mayor Ayres thanked the Rotary for all their service and dedication to the Village of Waverly.

**Public Comments:** Mike Sorensen, 451 Fulton Street, stated he received a letter from Code Enforcement saying he has 30 days to paint his house. He feels other houses in his neighborhood have bigger code issues. He also stated 30 days is not a reasonable time to through at someone.

Amy Brisson, 526 Fulton Street, stated the storm drains near her home are not working properly as water pools when it rains. She asked if something could be done. Trustee Havens stated the DPW are out jet-rodding the drains, and flushing them out. Mayor Ayres stated we are looking at better drainage on Clinton Avenue, which should help with other drainage issues.

Sherri Estep, 529 Fulton Street, also stated concern with drainage. She stated if curbing would help with the issues.

Laura Houseknecht, 527 Fulton Street, also stated concern with drainage. She stated she had water in her basement after the last storm.

**Letters and Correspondence:** The clerk read a card from the Valley Family Fun Day Committee, thanking and appreciating the Parks and Recreation Department and the Village for all their help and support for their event.

**Approval of Minutes:** Trustee Havens moved to approve the Minutes of June 11, and June 25, 2019 as presented. Trustee Sinsabaugh seconded the motion, which carried unanimously.

**Department Reports:** The clerk submitted department reports from Code Enforcement Officer Robinson, and Parks & Recreation. Code Officer Robinson stated there has been some progress, and some residents are interested in the programs being offered.

**Treasurer's Reports:** Clerk Treasurer Wood presented the following financial reports:

Cemetery Fund 6/1/19 – 6/1/19

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 38,001.72 | Current Revenues | 14,608.17 |
| Deposits | 0.00 | Year to Date Revenue | 36,401.00 |
| Disbursements | -6,424.52 | Current Expenditures | -19,431.97 |
| Ending Balance | 31,577.20 | Year to Date Expended | 31,577.20 |

\*Current Estimated Fund Balance, $45,186.20

Loan Programs 6/1/19 – 6/1/19

|  |  |  |  |
| --- | --- | --- | --- |
| Business Loans |  | Rehab Loans | Balances |
| Beginning Balance | 27,902.01 | Beginning Balance | 7,949.10 |
| Deposits | 402.77 | Deposits | 473.47 |
| Disbursements | 0.00 | Disbursements | 0.00 |
| Ending Balance | 28,304.78 | Ending Balance | 8,422.57 |
| Money Market/Savings | 351,188.20 | MM/Savings Balance | 159,086.20 |
| Due from CP/Glen Park | 60,000.00 | Sidewalk Balance | 8,897.00 |
| Total Fund Balance | 439,492.98 | Total Available Balance | 176,495.77 |

\*outstanding loans $19,791.28 \*outstanding loans $29,196.58

**Finance Committee/Approval of Abstract:** Trustee Burlingame presented General Fund bills for May (previous year) in the amount of $1,007.60 and moved to approve payment of the abstract. Trustee Engelbert seconded the motion, which carried unanimously.

Trustee Burlingame presented General Fund bills for June (current year) in the amount of $21,307.93 and moved to approve payment of the abstract. Trustee Engelbert seconded the motion, which carried unanimously.

**Tioga County Update:** Tioga County Legislator Mullen stated the sales tax revenue is still increasing. Tioga County is starting their budget process for 2020. They passed a fund balance policy. He also stated there has been an increase in employment positions and some positions have be upgraded. This is mostly due to the legislation from the State in regards to new court regulations.

**Storm Sewer Replacement/Clinton Avenue:** Mayor Ayres stated he and Trustee Havens met with DPW Jack Pond, and Tim Steed, of Hunt Engineers, to look at the project and get some data. There should be more information for the next meeting.

**Glen Park Project Update:** Clerk Treasurer Wood stated she submitted a reimbursement request to New York State for costs expended.

**West Pine Street:** Mayor Ayres attended the Town of Barton Meeting. He said there will be an engineer here tomorrow to assess the condition of the road and bank.

**Building Safety Assessments:**  Trustee Burlingame stated he met with Chief Gelatt and they recommend the following changes.

1. Keep the east entrance to Village Hall locked at all times.
2. Keep all doors and overhead doors locked at the DPW Garage when personnel is not there.
3. Install burglar alarms.
4. Upgrade and expand camera system.
5. Install two solid steal doors in hallway.

The Board discussed the recommendations. Clerk Treasurer Wood stated she would need to modify the door locking software, as the east door and the main door are on the same lock schedule.

**Replacement of Village Garbage Cans:** Mayor Ayres stated he would like to remove eleven garbage cans on Broad Street and replace with four new ones. He stated the old ones are broken or battered. Trustee Sinsabaugh stated he doesn’t feel they need to be replaced. They should be repaired and painted. New ones could be built as needed, at a much lower cost. Trustee Sweeney agreed with Trustee Sinsabaugh, as was the consensus of the Board. Trustee Havens stated Parks Laborer Place would be beneficial in repairing/building these. No motion was made. Mayor Ayres informed the Board that the broken ones will be removed, as they are unsightly.

**Sidewalk Repair/Replacement Violations:** Mayor Ayres stated he is working on initiating a procedure on sidewalk code violations. He asked the Board for input or ideas.

**Court Clerks Conference:** The clerk read a letter from Village Justice Gorman requesting Court Clerk Lynette Nickels be approved to attend the NYS Association of Magistrates Court Clerks Conference on September 29 to October 2, 2019 in Syracuse, NY. The cost is $50 plus room and board. Trustee Sweeney moved to approve as presented. Trustee Sinsabaugh seconded the motion, which carried unanimously.

**Amend Committee and Committee Appointments:** Mayor Ayres stated he met with Ron Keene, and Keith Pond regarding issues in the cemeteries. He stated that currently we have a commissioner for the Buildings, Grounds, and Cemeteries. After discussion, he feels the cemeteries should be a stand-alone committee. Mayor Ayres appointed Trustee Sinsabaugh as Cemetery Commissioner. Trustee Havens moved to approve the appointment. Trustee Engelbert seconded the motion, which carried unanimously.

**Broad Street Mini Park Summer Music Series:**  Mayor Ayres stated he would like to see music concerts at the Mini Park again. He would like to have a concert series. Trustee Aronstam moved to approve a Summer Music Series in the Mini Park as presented. Trustee Sweeney seconded the motion, which carried unanimously.

**Curb Cut Application:** The clerk presented a curb cut application from Toby Lee for the property located at 528 Clark Street. The clerk stated Chief Gelatt and Street Operator Pond have reviewed and had offered no concerns. Trustee Sinsabaugh moved to approve the curb cut at 528 Clark Street. Trustee Engelbert seconded the motion, which carried unanimously.

**Mayor/Board Comments:**  Trustee Engelbert stated he walks quite a bit and has noticed a lot of code improvements with homes and lawns.

Trustee Sweeney thanked Ron Keene for his dedication to the cemeteries. He stated they look good. Mayor Ayres agreed with Trustee Sweeney. He stated he believes K & K Lawn Care (Keith Pond), takes a lot of pride in his work and wants them to look good. Ron Keene stated concern with people using Forest Home Cemetery as a thruway.

Trustee Sinsabaugh asked the Board to send a letter of thanks to the Tioga County Sheriff for their participation in cleaning up Broad Street, Broad Street Ext., and Mill Hill Road.

**Adjournment**: Trustee Havens moved to adjourn at 7:48 p.m. Trustee Aronstam seconded the motion, which carried unanimously. Respectfully submitted,

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Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, JULY 23, 2019 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

**Roll Call:** Present were Trustees: Burlingame, Aronstam, and Mayor Ayres

Also present was Clerk Treasurer Wood

Press included Johnny Williams of the Morning Times, and Karen Shepard of The Choice Radio

Due to lack of quorum, the meeting was adjourned and will be rescheduled. Respectfully submitted,

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Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 12:00 P.M.**

**ON WEDNESDAY, JULY 24, 2019 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Present were Trustees: Burlingame, Havens, Aronstam, and Mayor Ayres

Also present were Clerk Treasurer Wood, and Chief Gelatt

Press included Johnny Williams of the Morning Times, and Karen Shepard of The Choice Radio

**Letters and Correspondence:** The clerk read a letter from Tioga County Attorney’s Office stating that Tioga County Treasurer has foreclosed on 581 Clark Street and is retaining ownership until it is sold off to the Village of Waverly or Tioga County Property Development Group (Land Bank) for future demolition.

**Approval of Minutes:** Trustee Aronstam moved to approve the Minutes of July 9, 2019 as presented. Trustee Havens seconded the motion, which carried unanimously.

**Department Reports:** The clerk a submitted department report for the Police Department.

**Treasurer's Reports:** Clerk Treasurer Wood presented the following financial reports:

General Fund 5/1/19 – 5/31/19

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 150,220.58 | Current Revenues | 172,676.00 |
| Deposits | 313,556.48 | Year to Date Revenue | 3,158,121.82 |
| Disbursements | -205,036.96 | Current Expenditures | 218,631.99 |
| Ending Balance | 258,740.10 | Year to Date Expended | 3,139,371.42 |

\*General Capital Reserve Fund, $84,765.022

\*Year-Ending General Unappropriated Fund Balance, $856,957.16

Capital Projects Fund 5/1/19 – 5/31/19

|  |  |  |  |
| --- | --- | --- | --- |
|  | Glen Park Project | WWTP Upgrade Project | Restore NY 358 Broad Street |
| Beginning Balance | 59,664.42 | 2,216,236.18 | 379.98 |
| Deposits/Debits | 0.00 | 0.00 | 0.00 |
| Disbursements/Credits | -7,515.13 | 172,872.17 | 0.00 |
| Ending Balance | 52,149.29 | 2,043,364.01 | 379.98 |

\*Total Capital Projects Fund Balance $2,095,513.30

Capital Projects Fund 6/1/19 – 6/30/19

|  |  |  |  |
| --- | --- | --- | --- |
|  | Glen Park Project | WWTP Upgrade Project | Restore NY 358 Broad Street |
| Beginning Balance | 52,149.29 | 2,043,364.01 | 379.98 |
| Deposits/Debits | 8,214.68 | 0.00 | 0.00 |
| Disbursements/Credits | -16,426.36 | -648,836.77 | 0.00 |
| Ending Balance | 43,937.61 | 1,394,527.24 | 379.98 |

\*Total Capital Projects Fund Balance $1,438,464.85

**Finance Committee/Approval of Abstract:** Trustee Burlingame presented General Fund bills in the amount of $176,853.52; Cemetery Fund bills in the amount $13,050.00; and Recreation Commission bills in the amount of $22,510.30, and moved to approve payment of the abstracts. Trustee Aronstam seconded the motion, which carried unanimously.

**Capital Projects Abstract:** Trustee Burlingame moved to approve the following expenditures be paid from the Capital Projects Fund:

Delta Engineers Glen Park Invoice 8 $ 5,043.06

Trustee Aronstam seconded the motion, which carried unanimously.

**Glen Park Project Update:** Mayor Ayres stated we received the Notice of Bid for the Glen Park Project. The notice outline the following dates:

July 24 – Bid Documents will be available through Dataflow

August 6 – Mandatory Pre-Bid Meeting for all interested contractors

August 26 – Public Bid Opening, 2:00 p.m. at Village Hall

Trustee Aronstam moved to approve and advertise the Notice to Bid for the Glen Park Project, as

presented. Trustee Havens seconded the motion, which carried unanimously.

**Storm Sewer Replacement/Clinton Avenue:** Mayor Ayres stated we received the Notice of Bid for the Storm Sewer Replacement Project. The public bid opening will be scheduled for August 29, 2019 at 2:00 p.m. in the Village Hall. Trustee Aronstam moved to approve and advertise the Notice to Bid for the Storm Sewer Replacement Project, as presented. Trustee Havens seconded the motion, which carried unanimously.

**West Pine Street:** Mayor Ayres stated he met with the Town of Barton and their engineer. They will determine the proper repairs that need to be done. For now, they have placed safety barrels on the road to keep traffic away from the side.

**Sidewalk Repair Protocol:** Mayor Ayres submitted a very rough draft of the protocol for sidewalks in need of repair. He asked for feedback from the Board for the next meeting.

**Curbing:** Trustee Aronstam stated currently if a resident wants curbing installed, they need to apply for an excavation permit. It is reviewed by DPW and the Police Departments. The property owner is responsible for costs and repairs for their curbing. Trustee Aronstam stated there is no real standard as to what materials can be used for curbing.

**Tioga County Hazard Mitigation Plan:** Chief Gelatt stated Tioga County and all municipalities have been working on the Hazard Mitigation Plan for quite a while. He summarized the plan. Trustee Burlingame offered the following resolution, and moved its adoption. Trustee Havens seconded the motion, which carried unanimously.

**ADOPT HAZARD MITIGATION PLAN UPDATE 2018**

WHEREAS, Tioga County’s Multi-Jurisdictional Multi-Hazard Mitigation Plan expired on March 13, 2018; and

WHEREAS, FEMA requires that said document be updated every five years; and

WHEREAS, The Village of Waverly along with Tioga County and its other municipalities and with the assistance from the contracted consultant, Tetratech, has gathered information and prepared the Tioga County Multi-Jurisdictional Multi-Hazard Mitigation Plan Update of 2018 in accordance with NYSDHSES and FEMA standards; and

WHEREAS, the Village of Waverly is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and actions included in the Plan; and

WHEREAS, The Village of Waverly has reviewed the Plan and affirms that the Plan will be updated every five years; therefore, be it

RESOLVED, that the Village of Waverly Board of Trustees adopts the Tioga Multi-Jurisdictional Multi-Hazard Mitigation Plan Update of 2018 as the jurisdiction’s National Hazard Mitigation Plan, and resolves to execute actions included in the Plan.

**Tioga County Shared IT Services:** The clerk submitted a proposal from Tioga County IT stating Penelec is requiring us to install two additional poles for the fiber optic to be installed to the Water/DPW buildings and the Wastewater Treatment Building. The additional cost will be around $15,000. Clerk Treasurer Wood stated the costs would also be shared, as follows: General Fund 25%, Water Fund 25%, and Sewer Fund 50%. Mayor Ayres stated by doing this, all of the village buildings would be connected, which is a big benefit. Trustee Aronstam moved to approve the additional costs as presented. Trustee Havens seconded the motion, which carried unanimously.

**Letter of Resignation:** The clerk read a Letter of Resignation from Ann Place, of the Water Board, effective immediately. She has relocated to Pennsylvania.

**Appointment of Water Commissioner:** The clerk read a letter from Eric Reznicek stating his interest to serve on the Board of Water Commissioners. Mayor Ayres appointed Eric Reznicek to the Board of Water Commissioners to fill the vacancy left by Commissioner Place. Trustee Burlingame moved to approve the appointment of Eric Reznicek. Trustee Havens seconded the motion, which carried unanimously.

**NYCOM Fall Training School:** Trustee Aronstam moved to approve Clerk Treasurer Wood, Deputy Clerk Treasurer Hazen, Attorney Keene, and any Board Member to attend the NYCOM Fall Training School in Saratoga, NY on September 16-20, 2019 at a cost of $355 (first-time attendees $180) each, plus room and board. Trustee Havens seconded the motion, which carried unanimously.

**Village Tax Corrections:** Trustee Burlingame moved to approve a property tax correction for 439 Fulton Street. The current taxes are $722.18 and will be changed to $231.10, a reduction of $491.08. This is a vacant lot that sold in foreclosure and the assessment still had the building value. Trustee Havens seconded the motion, which led to a roll call vote, as follows:

Ayes – 4 (Havens, Burlingame, Aronstam, Ayres)

Nays – 0

Absent – 3 (Sweeney, Sinsabaugh, Engelbert)

The motion carried.

**Auditing Services:** The clerk submitted engagement letters from Insero & Company for auditing services of the Village Government in the amount of $10,300, and one for the Justice Court in the amount of $1,300. Trustee Aronstam moved to engage auditing services to Insero & Company for both the Village Government and the Justice Court as presented. Trustee Havens seconded the motion, which carried unanimously.

**Teamsters’ Health Audit:** The clerk stated a representative from the Teamsters’ Health Fund came and performed an audit. She submitted their findings to the Board. The findings were a few instances that we did not pay into the health fund when an employee left employment but used earned time before actual termination, and another was we did not start an employee on health coverage early enough since she was a part time employee prior to being promoted to full time. All instances were noted and any fees or penalties were waived as this was our first audit.

**Mayor/Board Comments:**  Mayor Ayres stated he will meet with NYS DOT on August 9th to discuss traffic issues on Chemung Street, and possibly do a traffic study.

Trustee Aronstam stated there is a request for use of East Waverly Park for Adult Flag Football. They will be using the field for 17 weeks starting August 4th. There will be no alcohol. They have insurance. They will need bathrooms, trash pickup, and the fields lined and combed. They will pay $125 per week if approved. Trustee Havens stated they have used the park in the past. Trustee Aronstam moved to approve their request as presented, contingent upon Attorney Keene’s review and agreement. Trustee Havens seconded the motion, which carried unanimously.

**Adjournment**: Trustee Burlingame moved to adjourn at 12:56 p.m. Trustee Havens seconded the motion, which carried unanimously. Respectfully submitted,

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Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, AUGUST 13, 2019 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Present were Trustees: Sinsabaugh, Engelbert, Burlingame, Sweeney, Aronstam, and Mayor Ayres

Also present were Clerk Treasurer Wood, Attorney Keene, and Tioga County Legislator Mullen

Press included Johnny Williams of the Morning Times, and Chris Davies of The Choice Radio

**Public Comments:** Ron Keene, 7 Elliott Street, submitted pictures of garbage/mess left on the curb at 457 Cayuta Avenue. Mayor Ayres stated Code Enforcement called the landlord, and the rubbish was removed this afternoon and area has already been cleaned up.

Ron Keene stated the cemeteries are in need of maintenance. The mowers are leaving grass clippings on the headstones. Mayor Ayres stated that Trustee Sinsabaugh was appointed as Cemetery Commissioner and that issues or concerns regarding the cemeteries should be directed to him. Trustee Sinsabaugh stated he would follow-up.

**Approval of Minutes:** Trustee Sinsabaugh moved to approve the Minutes of July 23-24, 2019 as presented. Trustee Engelbert seconded the motion, which carried unanimously.

**Department Reports:** The clerk submitted department reports from Recreation, Code Officer Robinson, and the Police Department. Trustee Aronstam stated the Summer Recreation Program is over and was very successful. Tioga County did their inspections and gave us positive feedback. Trustee Sweeney stated the construction of the sewer plant is mostly completed. There is a dedication ceremony planned for August 21, 2019 at 11:00 a.m. at the Wastewater Treatment Facility, and encouraged trustees to attend.

**Treasurer's Reports:** Clerk Treasurer Wood presented the following financial reports:

General Fund 6/1/19 – 6/30/19

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 258,740.10 | Current Revenues | 2,101,372.12 |
| Deposits | 1,385,895.65 | Year to Date Revenue | 2,101,372.12 |
| Disbursements | -1,157,636.87 | Current Expenditures | 223,909.75 |
| Ending Balance | 486,998.88 | Year to Date Expended | 223,909.75 |

\*General Capital Reserve Fund, $84,834.89

\*Current Estimated Fund Balance, $2,674,419.53

General Fund 7/1/19 – 7/31/19

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 486,998.88 | Current Revenues | 75,688.03 |
| Deposits | 779,157.74 | Year to Date Revenue | 2,177,060.15 |
| Disbursements | -1,002,747.45 | Current Expenditures | 312,021.79 |
| Ending Balance | 263,409.17 | Year to Date Expended | 535,931.54 |

\*General Capital Reserve Fund, $84,906.94

\*Current Estimated Fund Balance, $2,498,085.77

Cemetery Fund 7/1/19 – 7/31/19

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 31,577.20 | Current Revenues | 3,691.64 |
| Deposits | 3,651.48 | Year to Date Revenue | 33,731.47 |
| Disbursements | -6,857.45 | Current Expenditures | 6,857.45 |
| Ending Balance | 28,371.23 | Year to Date Expended | 19,864.90 |

\*Current Estimated Fund Balance, $42,020.39

Loan Programs 7/1/19 – 7/31/19

|  |  |  |  |
| --- | --- | --- | --- |
| Business Loans |  | Rehab Loans | Balances |
| Beginning Balance | 28,304.78 | Beginning Balance | 8,422.57 |
| Deposits | 621.05 | Deposits | 323.61 |
| Disbursements | 0.00 | Disbursements | 0.00 |
| Ending Balance | 28,925.83 | Ending Balance | 8,746.18 |
| Money Market/Savings | 351,486.46 | MM/Savings Balance | 159,221.31 |
| Due from CP/Glen Park | 60,000.00 | Sidewalk Balance | 8,987.00 |
| Total Fund Balance | 440,412.29 | Total Available Balance | 176,954.49 |

\*outstanding loans $19,080.45 \*outstanding loans $28,402.76

Capital Projects Fund 7/1/19 – 7/31/19

|  |  |  |  |
| --- | --- | --- | --- |
|  | Glen Park Project | WWTP Upgrade | Restore NY |
| Beginning Balance | 43,937.61 | 1,394,527.24 | 379.98 |
| Deposits/Debits | 0.00 | 0.00 | 0.00 |
| Disbursements/Credits | -5,043.06 | -295,567.16 | 0.00 |
| Ending Balance | 38,894.55 | 1,098,960.08 | 379.98 |

\*Total Capital Projects Fund Balance $1,137,854.63

**Finance Committee/Approval of Abstract:** Trustee Burlingame presented the following abstracts, and moved to approve payment.

General Fund Abstract $56,026.55

Loan Fund Abstract 7,242.32

Total of All Abstracts submitted: $63,268.87

Trustee Aronstam seconded the motion, which carried unanimously.

**Capital Projects Abstract:** Trustee Burlingame moved to approve the following expenditures be paid from the Capital Projects Fund:

Shumaker Consulting Glen Park Invoice #5 $ 2,161.96

Trustee Sweeney seconded the motion, which carried unanimously.

**Tioga County Update:** Tioga County Legislator Dennis Mullen stated the county is working on upgrading the entire public safety communications. It was last updated in early 1980’s. The update will be expanded to include all municipalities and school districts throughout the county.

State mandated changes in the court system will drive up the costs at the District Attorney’s office. The DA will need to appear at all arraignments, therefore, the staff will need to be increased.

AIM Funding will be cut out of sales tax to aid municipalities. Revenues are up, however, expenses are also increased due to the increased staff, and indigent legal services.

**Glen Park Project Update:** Mayor Ayres stated there was a pre-bid meeting and four contractors attended. They went up to the Glen Park to see the scope of the project. The bid opening will be on August 26, 2019 at 2:00 p.m. at Village Hall.

Trustee Aronstam stated the Waverly Recreation Booster Club held a golf tournament and the proceeds are to be shared with the Glen Park Project and Waverly Recreation. Trustee Aronstam presented Mayor Ayres with a check for $2,000 toward the Glen Park Project. Mayor Ayres accepted, and thanked the Booster Club and Trustee Aronstam for the donation.

**Storm Sewer Replacement/Clinton Avenue:** Mayor Ayres stated the public bid opening will be scheduled for August 29, 2019 at 2:00 p.m. in the Village Hall. He stated this project has a grant for $125,000, however, asked the Board to consider applying village funds to make the project reach further and complete Clinton Avenue. Once the bids come in, we would have more information on costs.

**West Pine Street:** Mayor Ayres stated the Town of Barton has hired Delta Engineers to oversee the repair of the roadway.

**Sidewalk Repair Protocol:** Mayor Ayres submitted a very rough draft of the protocol for sidewalks in need of repair. He asked for feedback and input from the Board for the next meeting.

**Land Bank:** Mayor Ayres stated the Land Bank properties that were scheduled for demolition, have been done. The last property will be demolished tomorrow. These lots will then be up for sale and possibly a new home could be built. If the lot is too small to be built on, it will be offered to the adjacent property owners to purchase. Once these properties are sold, they will be put back on the tax roll.

**Crossing Guard:** Mayor Ayres read a request from Chief Gelatt requesting approval to hire Margaret Prinzi as a regular crossing guard. He stated Jim Melka would only like to be on a per diem basis, and Jacob Hazen has taken another job. Trustee Sinsabaugh moved to approve Margaret Prinzi as presented, at $11.10 per hour. Trustee Sweeney seconded the motion, which carried unanimously.

**Water Distribution System Improvement Project:** Trustee Aronstam offered the following resolution, and moved its adoption:

WHEREAS, the Village of Waverly proposes to undertake a water distribution system improvement project; and

WHEREAS, the Village of Waverly is seeking financial assistance through the 2019 NYS Environmental Facilities Corporation’s Water Infrastructure Improvement Act Program; 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 Mayor of Waverly has been authorized to submit an application for grant funding under the NYS Environmental Facilities Corporation’s Water Infrastructure Improvement Act Program on behalf of the Village of Waverly; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor of Waverly is authorized to execute a Grant Agreement with the NYS Environmental Facilities Corporation and any and all other contracts, documents and instruments necessary to bring about the Project and to fulfill the Village of Waverly’s obligations under the WIIA Grant Agreement; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor of Waverly is authorized to execute expenditures for the Village of Waverly Water Distribution System Improvement Project under the NYS Environmental Facilities Corporation’s Water Infrastructure Improvement Act Program on behalf of the Village of Waverly.

Trustee Sinsabaugh seconded the motion, which led to a roll call vote, as follows:

Ayes – 6 (Sweeney, Sinsabaugh, Engelbert, Burlingame, Aronstam, Ayres)

Nays – 0

Absent – 1 (Havens)

The motion carried.

**Additional Paving:** The clerk stated the Extreme Winter Recovery (EWR) funding was reinstated by the State. This is part of the CHIPS Program. We received approximately $20,000 from the EWR. Mayor Ayres stated Jack Pond may propose additional paving. The clerk also stated, as with CHIPS funding, the EWR can roll over and be used in combination with new funding.

**NYS DOT Meeting – Route 34/Chemung Street:** Mayor Ayres stated he met with NYS DOT, Trustee Aronstam, a Dandy Representative, and Chief Gelatt regarding the intersection of Route 34 and Chemung Street. There is concern with the increased activity since the new Dandy went in. NYS DOT agreed to provide traffic columns before and after Dandy, and provide accident history. The representative from Dandy offered to do additional striping in their parking lot to help direct the traffic flow. NYS DOT will improve markings and signage. They will also make a recommendation for the best area to install a crosswalk and provide information about pedestrian crossing beacons.

**Mayor/Board Comments:**  Trustee Aronstam stated Recreation Director Shaw would like to change both fields at East Waverly to grass fields with cut-outs for the bases. This would be easier to maintain. He talked with Trustee Havens about it, and he also recommended it. Trustee Burlingame moved to approve changing the fields to grass as requested. Trustee Sinsabaugh seconded the motion, which carried unanimously.

Trustee Aronstam stated the Waverly Recreation Booster Club and the WBA would like to have a festival downtown with athletic events and vendors on September 21, 2019. The proceeds will benefit the Waverly Recreation, and a cancer recipient. They are requesting a street closure on Broad Street, from Fulton Street to Pennsylvania Avenue, and to include the Depumpo Lane. Trustee Engelbert moved to approve the street closure as requested. Trustee Sweeney seconded the motion, which carried unanimously.

**Executive Session:** Trustee Sweeney moved to enter executive session at 7:44 p.m. to discuss a contractual issue. Trustee Engelbert seconded the motion, which carried unanimously.

Trustee Sinsabaugh moved to enter regular session at 8:10 p.m. Trustee Sweeney seconded the motion, which carried unanimously.

**Adjournment**: Trustee Sinsabaugh moved to adjourn at 8:11 p.m. Trustee Engelbert seconded the motion, which carried unanimously. Respectfully submitted,

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Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, AUGUST 27, 2019 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Present were Trustees: Sinsabaugh, Engelbert, Burlingame, Sweeney, and Mayor Ayres

Also present were Clerk Treasurer Wood, and Attorney Keene

Press included Johnny Williams of the Morning Times, and Karen Shepard of The Choice Radio

**Public Comments:** Laura Houseknecht, 527 Fulton Street, thanked Officer Brian West and the Police Department for getting some drug dealers off the streets and out of her neighborhood.

Jessica Schillmoeller, Tinsel and Lights Committee, requested the use of Muldoon Park on December 13, 2019 for the Tinsel and Lights Event. They will provide insurance. The committee is grateful for all the help they receive from the Village of Waverly, Waverly Schools, Police, and especially the Parks & Recreation Department. This is an annual event. Mayor Ayres stated there is an understanding that overtime will be paid to any village employee that works at this event, and the Board agreed. Trustee Sweeney moved to approve the request as presented with no cost for the use of the park. Trustee Burlingame seconded the motion, which carried unanimously.

**Letters and Communications:** The clerk read a letter from Norman Novinsky stating his concern with possibly removing the hedges at Forest Home Cemetery. He is concerned that by removing them that it expose the gravesites of his family to traffic and other hazards. Trustee Sinsabaugh stated he was aware of Mr. Novinsky’s concerns. The vines on the hedges were removed and they look a lot nicer. They still need to be trimmed. They need annual maintenance. Mayor Ayres stated he would discuss with Bob Walker and find out what maintenance is needed to keep them healthy.

**Approval of Minutes:** Trustee Sinsabaugh moved to approve the Minutes of August 13, 2019 as presented. Trustee Engelbert seconded the motion, which carried unanimously.

**Finance Committee/Approval of Abstract:** Trustee Burlingame presented the following abstracts, and moved to approve payment. He stated the annual insurance premium payment of $81,839.46 was included.

General Fund Abstract $130,649.26

Cemetery Fund Abstract 6,426.65

Recreation Commission Abstract 1,568.99

Total of All Abstracts submitted: $138,644.90

Trustee Sweeney seconded the motion, which carried unanimously.

**Capital Projects Abstract:** Trustee Burlingame moved to approve the following expenditures be paid from the Capital Projects Fund:

Delta Engineers Glen Park Invoice #9 $11,284.91

Trustee Sweeney seconded the motion, which carried unanimously.

**Storm Sewer Replacement/Clinton Avenue:** Mayor Ayres stated the public bid opening will be scheduled for August 29, 2019 at 2:00 p.m. in the Village Hall.

**West Pine Street:** Mayor Ayres stated he sent a letter to the Town of Barton requesting an update on the repair of the road.

**Sidewalk Repair Protocol:** Mayor Ayres submitted a draft of the protocol for sidewalks in need of repair. He asked for feedback and input from the Board for the next meeting. Trustee Burlingame moved to approve the protocol as presented. Trustee Sweeney seconded the motion, which led to a roll call vote, as follows:

Ayes – 5 (Burlingame, Sweeney, Sinsabaugh, Engelbert, Ayres)

Nays – 0

Absent – 2 (Aronstam, Havens)

The motion carried.

**Land Bank:** Mayor Ayres stated the Land Bank is hiring a firm to appraise the empty lots, and will put them up for sale. Hopefully, they will sell quickly and get back on the tax roll.

**Glen Park Project Bid Results:** Mayor Ayres stated the Glen Park Project bids were opened on August 26, 2019 and there were two bidders. He stated the Base Bid includes refurbishing the large pavilion, building a new restroom, and constructing the foundation for the storage room, Alternate #1 includes building the walls and roof of storage room, and Alternate #2 is installing the interior finishes in the restroom. They were as follows:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Contractor Name | Base Bid | Alternate 1  (storage room) | Alternate 2  (interior finishes) | Bid Total |
| Walsh & Sons Contracting | 269,625 | 25,637 | 15,702 | 310,964 |
| Marchuska Bros. Construction | 375,000 | 80,000 | 6,500 | 461,500 |

Mayor Ayres stated Walsh & Sons’ bid was in range of the engineer’s estimate. Discussion followed on what should be included with the project. He stated 75% these costs would be reimbursed from the grant. He also stated that the Parks Department stated they could build the storage room and install the finishes if needed. Trustee Sinsabaugh moved to the Base Bid and include Alternate #1, for a total of $295,262, to Walsh & Sons Contracting contingent upon final review of the engineer. Trustee Engelbert seconded the motion, which led to a roll call vote, as follows:

Ayes – 5 (Burlingame, Sweeney, Sinsabaugh, Engelbert, Ayres)

Nays – 0

Absent – 2 (Aronstam, Havens)

The motion carried.

**Mildred Truman Faulkner Grant for Police Department:** The clerk stated the Police Department received a grant from the Mildred Truman Faulkner Foundation in the amount of $16,700 to purchase a TruNarc Handheld Substance Analyzer. Trustee Sinsabaugh stated this will protect the officers from handling unknown substances. Mayor Ayres thanked the foundation for this award. Trustee Sinsabaugh moved to accept the grant and authorize Mayor Ayres to sign agreement. Trustee Engelbert seconded the motion, which carried unanimously.

**Village Property Assessments:** Mayor Ayres stated our Assessor may not be able to stay with the Village for much longer. He and Clerk Treasurer Wood have been looking at options. Clerk Treasurer Wood stated our current assessment roll is very old and has not been re-evaluated in decades. Our equalization rate is around 45%. That means our assessments are only, on average, 45% of the full market values, which causes our tax rate to be very high. It also causes unfair assessments.

The first option is using the town roll. She submitted a list of pros/cons regarding this option. We would no longer be an assessing unit. Currently, we are the only village in Tioga County that assesses. The residents would only have one assessment and the town assessor has regular hours. We would no longer have to have grievance night or deal with any grievance litigation. She stated, unfortunately, some properties would have a substantial increase in taxes, while some may decrease. That is due to our outdated assessment roll.

Another option would be to hire another assessor and still be an assessing unit. If we did this, however, we would still need to update our assessment roll. We would need to hire a company to re-evaluate our properties, and the outcome would be, at least, the same as the town’s assessments.

The clerk stated this is a very big decision to make, and encouraged the Board to review closely and ask questions. She also stated that due to a timeline, we would need to make a decision by the end of October and then pass a local law. We would need to have it all completed by the end of the year as our current taxable status date is January 1st.

**Tax Assessment Review for 95 NYRPT, LLC:** Attorney Keene stated we previously hired Attorney Rick James of Mackenzie & Hughes to review a 2016 tax assessment litigation for 95 NYRPT, LLC and recommended we add 2017 and 2018 tax assessments to his review as they are also grieving those assessments. Trustee Sinsabaugh moved to approve Attorney Keene’s recommendation as presented. Trustee Engelbert seconded the motion, which carried unanimously.

**Mayor/Board Comments:**  Trustee Burlingame stated with the appointments of Jon Reynolds and Eric Reznicek, the Board of Water Commissioner is fully staffed.

Trustee Sweeney stated the Dedication Ceremony for the upgrade Wastewater Facility was very nice and well attended. The facility is impressive village should be very proud to have it. He thanked all that were involved with its improvements, especially the operators that worked through it all.

Mayor Ayres stated a week ago, during an intense rain event, part of Mill Hill Road and the embankment washed out. This was due to Elderwood’s drainage pipe. Elderwood has taken all responsibility, and will repair the situation. The part of the road that was damaged is located in the Town of Barton’s boundary. For now, Mill Hill Road is closed to traffic.

**Executive Session:** Trustee Sinsabaugh moved to enter executive session at 7:38 p.m. to discuss a potential litigation on a code issue. Trustee Engelbert seconded the motion, which carried unanimously.

Trustee Burlingame moved to enter regular session at 8:14 p.m. Trustee Sweeney seconded the motion, which carried unanimously.

**Adjournment**: Trustee Burlingame moved to adjourn at 8:15 p.m. Trustee Engelbert seconded the motion, which carried unanimously. Respectfully submitted,

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Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, SEPTEMBER 10, 2019 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Present were Trustees: Sinsabaugh, Engelbert, Havens, Burlingame, Sweeney, Aronstam, and Mayor Ayres

Also present were Clerk Treasurer Wood, and Attorney Keene

Press included Johnny Williams of the Morning Times

**Public Comments:** Margaret Prinzi, 447 Chemung Street, asked if the village could work together with Stray Haven in regards to trapping stray cats. Mayor Ayres stated he would contact Stray Haven to see if possible.

**Liquor License Request:** Ed Myers, 317 Broad Street, stated he is establishing a bar and grill on Broad Street and asked the Board to waive the 30-day notice to the NYS Liquor Authority. Attorney Keene stated she does not know of a waiver process as this is a requirement from the State of New York. She stated she would research it. His application was not yet filled out. Mr. Myers left the meeting. Discussion followed. Trustee Aronstam moved to approve a waiver contingent upon Attorney Keene’s research and Chief Gelatt’s review. Trustee Engelbert seconded the motion, which led to a roll call vote, as follows:

Ayes – 6 (Sweeney, Sinsabaugh, Engelbert, Havens, Aronstam, Ayres)

Nays – 1 (Burlingame)

The motion carried.

**Letters and Communications:** The clerk read a letter from Mary Sobel, of the Red Door Thrift Store, requesting a street closures for their “It’s Cool to Recover” informational event on September 28, 2019 between the hours of 8:30 a.m. and 4:00 p.m. She requested Park Avenue be closed between Broad Street and DePumpo Lane. The clerk stated Chief Gelatt reviewed and had no concerns. Trustee Sweeney moved to approve the street closure as requested, contingent upon submittal of proper insurance. Trustee Sinsabaugh seconded the motion, which carried unanimously.

The clerk read a letter from Joan Schultz, of the Waverly Family Resource Center, requesting the use of both the Senior Room and Community Room for an 8-week parenting class. Discussion followed, as there may be timing conflicts. Mayor Ayres stated he would contact her.

The clerk submitted a letter from the Public Safety Committee stating they have reviewed and identified the streets and intersections that causes the most concern. They will submit their findings once it is further reviewed.

**Approval of Minutes:** Trustee Engelbert moved to approve the Minutes of August 27, 2019 as presented. Trustee Aronstam seconded the motion, which carried unanimously.

**Department Reports:** The clerk submitted department reports from Recreation, Police, and a Building Permits Issued Report.

**Treasurer's Reports:** Clerk Treasurer Wood presented the following financial reports:

General Fund 8/1/19 – 8/31/19

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 263,409.17 | Current Revenues | 57,924.81 |
| Deposits | 158,278.11 | Year to Date Revenue | 2,234,984.96 |
| Disbursements | -338,841.10 | Current Expenditures | 325,612.11 |
| Ending Balance | 82,846.18 | Year to Date Expended | 861,763.65 |

\*General Capital Reserve Fund, $84,979.05

\*Current Estimated Fund Balance, $2,170,178.47

Cemetery Fund 8/1/19 – 8/31/19

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 28,371.23 | Current Revenues | 1,841.38 |
| Deposits | 1,801.18 | Year to Date Revenue | 35,572.85 |
| Disbursements | -6,634.10 | Current Expenditures | 6,634.10 |
| Ending Balance | 23,538.31 | Year to Date Expended | 26,499.00 |

\*Current Estimated Fund Balance, $37,227.67

Loan Programs 8/1/19 – 8/31/19

|  |  |  |  |
| --- | --- | --- | --- |
| Business Loans |  | Rehab Loans | Balances |
| Beginning Balance | 28,925.83 | Beginning Balance | 8,746.18 |
| Deposits | 902.82 | Deposits | 488.00 |
| Disbursements | -3,496.16 | Disbursements | -3746.16 |
| Ending Balance | 26,332.49 | Ending Balance | 5,488.02 |
| Money Market/Savings | 351,784.98 | MM/Savings Balance | 159,356.54 |
| Due from CP/Glen Park | 60,000.00 | Sidewalk Balance | 7,987.00 |
| Total Fund Balance | 438,117.47 | Total Available Balance | 172,831.56 |

\*outstanding loans $18,129.57 \*outstanding loans $27,938.46

Capital Projects Fund 8/1/19 – 8/31/19

|  |  |  |  |
| --- | --- | --- | --- |
|  | Glen Park Project | WWTP Upgrade | Restore NY |
| Beginning Balance | 38,894.55 | 1,098,960.08 | 379.98 |
| Deposits/Debits | 51,683.93 | 0.00 | 0.00 |
| Disbursements/Credits | -13,446.87 | -27,069.30 | 0.00 |
| Ending Balance | 77,131.61 | 1,071,890.78 | 379.98 |

\*Total Capital Projects Fund Balance $1,149,022.39

**Finance Committee/Approval of Abstract:** Trustee Burlingame presented the following abstracts, and moved to approve payment.

General Fund Abstract $20,000.01

Trustee Havens seconded the motion, which carried unanimously.

**Glen Park Project Update:** Mayor Ayres stated there is a Pre-Construction Meeting on Thursday at 10:00 a.m. and Board Members are invited.

**Storm Sewer Replacement/Clinton Avenue:** The clerk presented the bid results for the Storm Sewer Replacement Project, as per the specs drawn by Hunt Engineers. The bid opening was held at Village Hall on August 29, 2019 at 2:00 p.m. The results are as follows:

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Contractor | Base Bid Lincoln-Orchard | Alternate 1 Orchard-Waverly | Alternate 2 Waverly-Fulton | Alternate 3 Fulton-Clark | Total |
| Vacri Construction | 141,000 | 86,000 | 69,000 | 68,000 | 364,000 |
| Chicago Construction | 121,000 | 88,000 | 68,000 | 72,000 | 349,000 |
| DeNinis Construction | 152,595 | 101,945 | 72,390 | 76,795 | 403,725 |
| G. DeVincentis & Sons | 132,671 | 86,758 | 65,538 | 63,033 | 348,000 |
| Procon Contracting | 136,000 | 94,000 | 72,000 | 74,760 | 376,760 |
| Nelson & Streeter | 162,785 | 124,720 | 115,870 | 122,240 | 525,615 |

There was discussion regarding how far the Board wanted to go, and the options to finance the project. The clerk stated we have a grant for $125,000 and other funding could come from the Capital Reserve. Trustee Engelbert moved to award the Base Bid, Alternate 1, and Alternate 2 to Chicago Construction in the amount of $277,000 and contingent upon all certificates being in place. Trustee Burlingame seconded the motion, which led to a roll call vote, as follows:

Ayes – 7 (Sweeney, Sinsabaugh, Engelbert, Burlingame, Havens, Aronstam, Ayres)

Nays – 0

The motion carried.

Trustee Aronstam moved to expend up to $300,000, from the General Capital Reserve Fund to be used for the Storm Sewer Replacement Project, and the clerk to advertise the same. Trustee Engelbert seconded the motion, which led to a roll call vote, as follows:

Ayes – 7 (Sweeney, Sinsabaugh, Engelbert, Burlingame, Havens, Aronstam, Ayres)

Nays – 0

The motion carried.

**Transfer to Reserve:** Trustee Aronstam moved to authorize Clerk Treasurer Wood to transfer $300,000 from the General Fund to the General Fund Reserve. Trustee Sinsabaugh seconded the motion, which led to a roll call vote, as follows:

Ayes – 7 (Sweeney, Sinsabaugh, Engelbert, Burlingame, Havens, Aronstam, Ayres)

Nays – 0

The motion carried.

**SEQR Resolution for the Water Distribution System Improvement:**

**STATE ENVIRONMENTAL QUALITY REVIEW ACT**

**RESOLUTION REGARDING**

**VILLAGE OF WAVERLY**

**WATER DISTRIBUTION SYSTEM IMPROVEMENT**

**WHEREAS,** the Village of Waverly (hereinafter the “Village”) owns, operates, and maintains a water distribution system serving the residents of the Village of Waverly; and

**WHEREAS,** the Village is proposing to Water Distribution System Improvements, including backup well power and replacement of watermain and appurtenances thereof within the Village of Waverly, including: Orange Street, Spring Street, Athens Street, Elliot Street, Orchard Street, Ball Street, Lyman Avenue, Elm Street, Garfield Street, Williams Street, Center Street, Lincoln & Division, SR 220 Loop, Pine Street, and Clinton Avenue, (collectively, the “Project”); and

**WHEREAS,** the Village is obligated under SEQRA and corresponding regulations to review the Project, and if necessary, undertake a review of the potential environmental impacts associated with the Project before undertaking the same; and

**WHEREAS,** the Village is the appropriate agency to be the lead agency to undertake the project review under SEQRA; and

**WHEREAS,** based upon an examination of 6 NYCRR § 617.4 and § 617.5, the Village classified the Project as a Type I Action and that such activities include CITE pertinent section(s) of § 617.4(b)(9) an Unlisted Action that exceeds 25 percent of any threshold occurring wholly or partially within, or substantially contiguous to, any historic building. A Full Environmental Assessment Form was prepared for the Project, and pursuant to 6 NYCRR § 617.6(b)(3), coordinated review was undertaken by the Village and no objections were received regarding the Village serving as lead agency.

**NOW, THEREFORE, BE IT RESOLVED,** that the Village Board hereby makes the following findings:

The Project consists of Water Distribution System Improvements, including backup well power and replacement of watermain and appurtenances thereof within the Village of Waverly, including: Orange Street, Spring Street, Athens Street, Elliot Street, Orchard Street, Ball Street, Lyman Avenue, Elm Street, Garfield Street, Williams Street, Center Street, Lincoln & Division, SR 220 Loop, Pine Street, and Clinton Avenue.

**IT IS FURTHER RESOLVED,** that The Village Board hereby designates itself lead agency pursuant to 6 NYCRR § 617.6(b)(2) and § 617.6(b)(3) with respect to the Project.

**IT IS FURTHER RESOLVED,** that based upon an examination of the components of the Project, the Full Environmental Assessment Form, and the criteria contained in 6 NYCRR § 617.7(c), and based upon its knowledge of the areas including and surrounding the Project site, and discussions with professionals retained by the Village, the Village Board, as lead agency, hereby makes the following determinations with respect to the Project pursuant to SEQRA:

A. The Project constitutes an/a “Type I Action.”

B. Based upon review by the Village Board of the Full Environmental Assessment Form, any input provided by other involved agencies, and other necessary criteria set forth in SEQRA, the Village Board hereby finds and determines that the Project will result in no significant impacts and, therefore, (a) the action is not one which “may include the potential for at least one significant adverse environmental impact,” (b) “there will be no significant adverse environmental impacts,” and (c) no “environmental impact statement” need be prepared, as such quoted terms are defined in SEQRA. This determination constitutes a negative declaration for purposes of SEQRA and it has been prepared in accordance with Article 8 of the Environmental Conservation Law.

C. A copy of this resolution, together with notice of negative declaration, shall be placed on file in the office of the Village Clerk where the same shall be available for public inspection during business hours and such notice of negative declaration shall be filed in such offices, posted in such places and published in such manner as shall be necessary to conform to the requirements of SEQRA.

This resolution shall take effect immediately.

Trustee Burlingame offered the aforementioned resolution, and moved its adoption. Trustee Engelbert seconded the motion, which led to a roll call vote as follows:

Ayes – 7 (Burlingame, Sweeney, Aronstam, Ayres, Engelbert, Sinsabaugh, Havens)

Nays – 0

The motion unanimously carried.

**Amending Bond Resolution for the Water Distribution System Improvement:**

AN AMENDING AND RESTATING BOND RESOLUTION, DATED September 10, 2019, OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF WAVERLY, TIOGA COUNTY, NEW YORK (THE “VILLAGE”), AMENDING THE BOND RESOLUTION THAT WAS ADOPTED ON MAY 8, 2018, AND AUTHORIZING A WATER SYSTEM CAPITAL IMPROVEMENTS PROJECT, AT AN ESTIMATED MAXIMUM COST OF $5,045,455 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $5,045,455 OF THE VILLAGE, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE, SAID AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE VILLAGE TREASURER.

WHEREAS, on May 8, 2018, the Village Board of Trustees of the Village of Waverly, Tioga County, New York (the “Village”) adopted a certain bond resolution (the “Original Bond Resolution”) entitled:

A BOND RESOLUTION, DATED MAY 8, 2018, OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF WAVERLY, TIOGA COUNTY, NEW YORK (THE “VILLAGE”), AUTHORIZING A WATER SYSTEM CAPITAL IMPROVEMENTS PROJECT, AT AN ESTIMATED MAXIMUM COST OF $4,000,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $4,000,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SUCH PURPOSE, SUCH AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE VILLAGE TREASURER.

WHEREAS, the Village has not previously issued bond anticipation notes pursuant to the Original Bond Resolution, and has not yet entered into permanent financing arrangements thereunder (i.e., the issuance of long-term serial bonds); and

WHEREAS, due to a modification to the scope of the project, the Village Board of Trustees wishes to modify the Original Bond Resolution for the primary purposes of increasing: a) the estimated maximum cost of the project from $4,000,000 to $5,045,455 and b) the amount of serial bonds authorized to be issued from $4,000,000 to $5,045,455, and to make other modifications to the Original Bond Resolution as may be consistent with law; and

WHEREAS, the Village Board of Trustees now wishes to amend and restate (in its entirety) the Original Bond Resolution for the reasons identified above, and to make other modifications to the Original Bond Resolution as may be consistent with law and the Original Bond Resolution is otherwise being reaffirmed and ratified in all other material respects;

NOW THEREFORE, BE IT RESOLVED, by the Village Board of Trustees of the Village (by the favorable vote of not less than two-thirdsof all the members of the Board) as follows:

# SECTION 1. The Village is hereby authorized to undertake a certain water system capital improvements project, such work to generally consist of (but not be limited to) the installation of approximately 15,366 linear feet of water main along various roads in the Village and the installation of a backup generator, as well as other improvements as more fully identified in (or contemplated by) documentation prepared by Hunt Engineers Architects and Surveyors, and including all preliminary work and necessary equipment, materials, and related site work and any preliminary costs and other improvements and costs incidental thereto and in connection with the financing thereof (collectively, the “Purpose”). The amended estimated maximum cost of the Purpose is $5,045,455.

# SECTION 2. The Village Board of Trustees plans to finance the estimated maximum cost of the Purpose by the issuance of serial bondsin an aggregate principal amount not to exceed $5,045,455 of the Village, hereby authorized to be issued therefor pursuant to the Local Finance Law, said amount to be offset by any federal, state, county and/or local funds received. Unless paid from other sources or charges, the cost of such improvements is to be paid by the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

# SECTION 3. It is hereby determined that the Purpose is an object or purpose described in subdivision 1 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of the Purpose is 40 years.

# SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of such bonds.

# SECTION 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

# SECTION 6. The faith and credit of the Village are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources or charges, there shall annually be levied on all the taxable real property of the Village a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

# SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 62.10, Section 63.00, and Section 164.00 of the Local Finance Law, the powers and duties of the Village Board of Trustees pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and details as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village. Without in any way limiting the scope of the foregoing delegation of powers, the Village Treasurer, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes of the Village.

# SECTION 8. The temporary use of available funds of the Village, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in Section 1 of this resolution. The Village then reasonably expects to reimburse any such expenditures (to the extent made after May 8, 2018 or within 60 days prior to the earlier of (a) May 8, 2018 or (b) the date of any earlier expression by the Village of its intent to reimburse such expenditures) with the proceeds of the bonds authorized by Section 2 of this resolution (or with the proceeds of any bond anticipation notes issued in anticipation of the sale of such bonds). This resolution shall constitute the declaration (or reaffirmation) of the Village’s original declaration of its “official intent” to reimburse the expenditures authorized by Section 2 hereof with such bond or note proceeds, as required by United States Treasury Regulations Section 1.150-2.

# SECTION 9. The Village Treasurer is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the “Code”) and may designate the bonds authorized by this resolution, and any notes issued in anticipation thereof, as “qualified tax-exempt bonds” in accordance with Section 265(b)(3) of the Code.

# SECTION 10. The Village Treasurer is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 11. The Village has complied with applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act (“SEQRA”), comprising Article 8 of the Environmental Conservation Law and, in connection therewith, duly issued a negative declaration and/or other applicable documentation, and therefore, no further action under SEQRA is necessary.

# SECTION 12. To the extent applicable, the Village Treasurer is hereby authorized to execute and deliver in the name and on behalf of the Village a project financing agreement prepared by the New York State Environmental Facilities Corporation (“EFC”) (the “Project Financing Agreement”). To the extent applicable, the Village Treasurer and the Village Clerk and all other officers, employees and agents of the Village are hereby authorized and directed for and on behalf of the Village to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby, including, but not limited to, the SRF Project Financing Agreement.

# SECTION 13. In the absence or unavailability of the Village Treasurer, the Deputy Treasurer is hereby specifically authorized to exercise the powers delegated to the Village Treasurer in this resolution.

# SECTION 14. The validity of such serial bonds or of any bond anticipation notes issued in anticipation of the sale of such serial bonds may be contested only if:

1. (a) such obligations were authorized for an object or purpose for which the Village is not authorized to expend money, or

###### (b) the provisions of the law which should be complied with as of the date of publication of this notice were not substantially complied with

###### and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication of this notice, or

2. such obligations were authorized in violation of the provisions of the Constitution of New York.

# SECTION 15. This Resolution is subject to permissive referendum pursuant to Section 36.00 of the Local Finance Law. The Village Clerk is hereby authorized and directed to publish (one time) and post (in at least six conspicuous public places within the Village and at each polling place), this resolution, or a summary thereof, together with a notice of adoption of this resolution subject to permissive referendum, within ten days after the date of adoption of this resolution.

# SECTION 16. If no petitions are filed in the referendum period, the Village Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of the Local Finance Law, in the official newspaper(s) of the Village, or if no newspaper(s) have been so designated, then in a newspaper having a general circulation in the Village, and hereby designated as the official newspaper of the Village for such publication.

# SECTION 17. Nothing in this amendment shall affect the validity of the Original Bond Resolution, or any actions taken thereunder, and any such actions are hereby ratified.

Trustee Engelbert offered the aforementioned resolution, and moved its adoption. Trustee Havens seconded the motion, which led to a roll call vote as follows:

Ayes – 7 (Burlingame, Sweeney, Aronstam, Ayres, Engelbert, Sinsabaugh, Havens)

Nays – 0

The motion unanimously carried.

**Village Assessments/Assessor:** Mayor Ayres requested the Board to review options. He stated this should be decided within the next couple of meetings due to the timing of the assessment process.

**POW/MIA Village Hall Flag Ceremony:** Mayor Ayres stated there will be a ceremony on Remembrance Day, September 20, 2019 at 10:00 a.m. at the Village Hall.

**Attorney/Client Discussion:** Trustee Sinsabaugh moved to break at 7:38 p.m. to meet with Attorney. Trustee Engelbert seconded the motion, which carried unanimously.

Trustee Burlingame moved to enter regular session at 7:52 p.m. Trustee Havens seconded the motion, which carried unanimously.

**Adjournment**: Trustee Havens moved to adjourn at 7:53 p.m. Trustee Engelbert seconded the motion, which carried unanimously. Respectfully submitted,

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Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, SEPTEMBER 24, 2019 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Present were Trustees: Sinsabaugh, Aronstam, Havens, Burlingame, Sweeney, and Mayor Ayres

Also present were Clerk Treasurer Wood, and Attorney Keene

Press included Johnny Williams of the Morning Times, and Deb Luchaco of The Choice Radio

**Public Comments:** Dan Leary, 63 Pine Street, stated Fred Daniels received the William Ransom Community Award from the Rotary Club for his years of service. Mr. Daniels donated $600, and the Lion’s Club donated $500 to the Waverly Recreation Boosters for the Glen Project. Mr. Leary stated people want to help and donations are still coming in. He also stated that the proposed parking changes need to be done. There is a lot of community support, however, a lot of outreach should be done.

Ron Keene, 7 Elliott Street, stated the Town of Barton is upset because they don’t know anything about possibly taking their assessment roll. He stated the Board should think long and hard about changing as it will cause hardships and blighted properties. When he was on the Board in 1980-1982, they didn’t do it for those reasons.

**Department Reports:** The clerk submitted department report from Code Officer Robinson.

**Finance Committee/Approval of Abstract:** Trustee Burlingame presented the following abstracts, and moved to approve payment.

General Fund Abstract $155,647.78

Cemetery Fund Abstract 6,987.32

Total of All Abstracts submitted: $162,635.10

Trustee Havens seconded the motion, which carried unanimously.

**Capital Projects Abstract:** Trustee Burlingame moved to approve the following expenditures be paid from the Capital Projects Fund:

Delta Engineers Glen Park Invoice #10 $3,415.52

Trustee Sinsabaugh seconded the motion, which carried unanimously.

**Liquor License Waiver:** Trustee Sinsabaugh offered the following resolution to waive the 30-day grace period for a liquor license application for EK Myers Patriot, LLC, and moved its adoption:

WHEREAS, Kristen A. Myers (EK Myers Patriot, LLC) submitted a Notice of Intent to file a new application for an On-Premises Alcoholic Beverage License for liquor, wine, and beer to be sold at 317 Board Street, Waverly, NY; and

WHEREAS, pursuant to the applicable provisions of the Alcohol and Beverage Control Law the Village of Waverly has been notified of her intent to file an application for a liquor license with the New York State Liquor Authority; and

WHEREAS, a 30-day hold before said application can be filed is mandated by New York Alcohol and Beverage Control Law, however, this time period may be waived by the municipality; and

WHEREAS, the Village of Waverly Board of Trustees wishes to assist the applicant in expediting the application process so as to allow a new business to achieve the greatest level of success by advancing this approval process; now, therefore be it

RESOLVED, that to the extent permitted by the New York State Liquor Authority, the Village of Waverly Board of Trustees hereby waives the requirement that written notice of the application be given to the Village at least thirty (30) days prior to submitting this application; and be it further

RESOLVED, that the Village Clerk is hereby authorized to issue a letter to the applicant and to the New York Liquor Authority to confirm the Village’s receipt of the Notice of Intent to file for the liquor license and a waiver of the 30-day hold on the processing of said application.

Trustee Sweeney seconded the motion, which led to a roll call vote, as follows:

Ayes – 6 (Burlingame, Sweeney, Sinsabaugh, Aronstam, Havens, Ayres)

Nays – 0

Absent – 1 (Engelbert)

The motion carried.

**Glen Park Project Bid Results:** Mayor Ayres stated the restrooms and the foundation have been removed. The contractor should be starting on the pavilion next week.

**Storm Sewer Replacement/Clinton Avenue:** Mayor Ayres stated the Notice of Award has been signed and should be getting the contract soon.

**West Pine Street:** Mayor Ayres submitted a copy of a letter from Delta Engineers to the Town of Barton with their recommendations to repair the road and the slope stabilization.

**Village Property Assessments:** Mayor Ayres asked the Board for any insight. He stated some property taxes will go up and some will come down if we take the town’s roll. This will not bring more money into the village. Clerk Treasurer Wood stated that when/if the assessments change, a new tax rate will be calculated based on the needs of the village, and then the tax rate is calculated per assessment (per $1,000 of assessed value) to produce a tax bill. The budget outlines the amount of tax revenue needed to balance the budget, and we will only tax on that amount. Trustee Sinsabaugh recommended the Board meet with the tax assessors, and Attorney Rick James who specializes in the tax laws. Mayor Ayres stated he would try to set something up.

**Parking Committee:** Trustee Aronstam stated he met with Chief Gelatt, Jack Pond, and Trustee Burlingame. All are in favor of one-sided parking on the streets. This is all do to safety concerns. They will get more information regarding which sides should be used for parking and which sides will be No Parking. This will be decided by what is least affected by emergency equipment. He should have more information at the next meeting.

**Municipal Solutions Contract for Services:** The clerk submitted a contract from Municipal Solutions for financial services in relation to the financial needs of the Village. The amount is outlined on an hourly basis in the contract. Trustee Sinsabaugh moved to approve the contract from Municipal Solutions, dated June 17, 2019, as presented and authorize Mayor Ayres to sign. Trustee Havens seconded the motion, which led to a roll call vote and resulted as follows:

Ayes – 6 (Burlingame, Sweeney, Sinsabaugh, Aronstam, Havens, Ayres)

Nays – 0

Absent – 1 (Engelbert)

The motion carried.

**JCAP Grant Authorization:** The clerk presented a letter from Village Justice Richard Gorman requesting authorization to file a grant application for the 2019-2020 NYS Justice Court Assistance Program (JCAP). Trustee Aronstam moved to authorize the Village of Waverly’s Justice Court to apply for a JCAP Grant in the 2019-2020 grant cycle up to $30,000.00. Trustee Sinsabaugh seconded the motion, which led to a roll call vote as follows:

Ayes – 7 (Burlingame, Sweeney, Aronstam, Ayres, Engelbert, Sinsabaugh, Havens)

Nays – 0

The motion passed unanimously.

**Curb Cut Application:** The clerk presented a curb cut application from Matthew Lee for the property located at 214 Howard Street. The clerk stated Street Operator Pond have reviewed and had concerns with the proposed cut for a new driveway. He noted that there is a high slope from the road to the sidewalk and therefore, the sidewalk would need to be removed to allow the driveway. This would leave a void in the remaining sidewalk causing a hazard. The remaining sidewalk would be a few feet higher that the cut. Trustee Aronstam stated he also looked at the property and agrees. He stated the owner should submit a plan to avoid any hazards. Trustee Aronstam moved to deny the curb cut at 214 Howard Street. Trustee Sweeney seconded the motion, which carried unanimously.

**Leprino Food’s Request to Install a Crosswalk:** The clerk read a request from Troy Erickson, Leprino Foods Engineering Manager, requesting a crosswalk across Fulton Street for their employees. The clerk stated Jack Pond is meeting with Mr. Erickson tomorrow morning. Discussion followed. Trustee Sweeney moved to approve the crosswalk contingent upon Leprino’s installing a handicapped sidewalk. Trustee Havens seconded the motion, which carried unanimously.

**NYS CDBG Program:** The clerk read a letter from NYS Homes and Community Renewal stating that our Release of Funds and Certification has been approved. She stated this means our program will get moving forward now and should get projects started.

**Mayor/Board Comments:**  Mayor Ayres announced Ada Pine, a long-time resident, is celebrating her 95th Birthday on September 28, 2019. He and the Board wished Ada a very Happy Birthday.

**Attorney/Client Discussion:** Trustee Burlingame moved to break at 7:28 p.m. to meet with Village Attorney Keene. Trustee Aronstam seconded the motion, which carried unanimously.

Trustee Burlingame moved to enter regular session at 7:39 p.m. Trustee Sweeney seconded the motion, which carried unanimously.

**Adjournment**: Trustee Burlingame moved to adjourn at 7:40 p.m. Trustee Sinsabaugh seconded the motion, which carried unanimously. Respectfully submitted,

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Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, OCTOBER 8, 2019 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Present were Trustees: Sinsabaugh, Engelbert, Havens, Burlingame, Sweeney, and Deputy Mayor Aronstam

Also present were Clerk Treasurer Wood, Code Officer Robinson, and Attorney Keene

Press included Johnny Williams of the Morning Times, and Deb Luchaco of The Choice Radio

**Public Comments:** Margaret Prinzi, 447 Chemung Street, stated concern that if we use the Town of Barton Assessment Roll the taxes would increase.

**Approval of Minutes:** Trustee Sweeney moved to approve the Minutes of September 10, and September 24, 2019 as presented. Trustee Havens seconded the motion, which carried unanimously.

**Department Reports:** The clerk submitted department reports from Recreation, Police, and Code Enforcement. Deputy Mayor Aronstam stated there will be an active shooter drill at the high school on October 12, 2019. He also stated the basketball event was a success. There was a huge turnout. The Waverly Recreation Booster Club will make a donation of $2,500 to the Waverly Glen Project, and $2,500 to the Waverly Recreation Commission from the proceeds of the event.

**Treasurer's Reports:** Clerk Treasurer Wood presented the following financial reports:

General Fund 9/1/19 – 9/30/19

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 82,846.18 | Current Revenues | 73,100.70 |
| Deposits | 400,924.43 | Year to Date Revenue | 2,308,085.66 |
| Disbursements | -300,871.77 | Current Expenditures | 273,698.08 |
| Ending Balance | 182,898.84 | Year to Date Expended | 1,135,461.73 |

\*General Capital Reserve Fund, $85,213.67

\*Current Estimated Fund Balance, $1,969,581.09

Cemetery Fund 9/1/19 – 9/30/19

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 23,538.31 | Current Revenues | 36.95 |
| Deposits | 1.01 | Year to Date Revenue | 35,609.80 |
| Disbursements | -7,194.77 | Current Expenditures | 7,194.77 |
| Ending Balance | 16,344.55 | Year to Date Expended | 33,693.77 |

\*Current Estimated Fund Balance, $30,069.85

Loan Programs 9/1/19 – 9/30/19

|  |  |  |  |
| --- | --- | --- | --- |
| Business Loans |  | Rehab Loans | Balances |
| Beginning Balance | 26,332.49 | Beginning Balance | 5,488.02 |
| Deposits | 407.89 | Deposits | 502.40 |
| Disbursements | 0.00 | Disbursements | 0.00 |
| Ending Balance | 26,740.38 | Ending Balance | 5,990.42 |
| Money Market/Savings | 352,051.95 | MM/Savings Balance | 159,477.47 |
| Due from CP/Glen Park | 60,000.00 | Sidewalk Balance | 7,987.00 |
| Total Fund Balance | 438,792.33 | Total Available Balance | 173,454.89 |

\*outstanding loans $17,763.14 \*outstanding loans $27,474.16

Capital Projects Fund 9/1/19 – 9/30/19

|  |  |  |  |
| --- | --- | --- | --- |
|  | Glen Park Project | WWTP Upgrade | Restore NY |
| Beginning Balance | 77,131.61 | 1,071,890.78 | 379.98 |
| Deposits/Debits | 1,320.00 | 0.00 | 0.00 |
| Disbursements/Credits | -3,418.52 | -20,515.45 | 0.00 |
| Ending Balance | 75,033.09 | 1,051,375.33 | 379.98 |

\*Total Capital Projects Fund Balance $1,126,408.42

**Finance Committee/Approval of Abstract:** Trustee Burlingame presented the following abstracts, and moved to approve payment. Trustee Engelbert seconded the motion, which carried unanimously.

General Fund Abstract $52,700.77

**Parking Committee:** Deputy Mayor Aronstam submitted the recommendations for parking from the Parking Committee. Discussion followed. Trustee Havens moved to direct Attorney Keene to draft a local law. Trustee Sinsabaugh seconded the motion, which carried unanimously.

**Village Assessments/Assessor:** Deputy Mayor Aronstam stated there should be further review regarding the assessments. He stated too many resident’s tax bills would increase. He would like to have a meeting with assessors, Tioga County, and Attorney James.

**Approval of 2018 CDBG Abstract:** The clerk presented the abstract for Drawdown #1 in the amount of $7,500.00. Trustee Sinsabaugh moved to approve the bills as presented. Trustee Engelbert seconded the motion, which carried unanimously.

**Buy Back Cemetery Lot:** The clerk stated Russanne Kelley has requested the Village buy back a cemetery lot in Glenwood Cemetery (Section B, Lot 154, one grave) as it is no longer needed. The original deed has been returned to Village. Trustee Sinsabaugh moved to approve buying back said cemetery lot as requested in the amount of $425 which is what it was originally purchased for. Trustee Engelbert seconded the motion, which carried unanimously.

**Village Hall Door Repair:** The clerk stated the door at the main entrance of the Village Hall is not unlocking. It will not unlock when using a FOB or by software. She stated Day Automation looked at the software/electronics, which seem to be working. She also had Webster, Inc. look at the hardware. They believe it’s a hardware issue, however, they are unsure exactly what the problem is until they can disassemble and test it.She submitted a quote from Webster, Inc. as follows:

Remove and replace the electronic panic bar if faulty $2,600

Remove and replace electric hinge if faulty 1,600

Remove and replace faulty wires, not to exceed 1,500

Total not to exceed $5,700

Discussion followed regarding the need to repair the door as soon as possible. Trustee Havens moved to declare this an emergency and to approve the repair of the door by Webster, Inc. as presented. Trustee Sinsabaugh seconded the motion, which led to a roll call vote, as follows:

Ayes – 6 (Sweeney, Sinsabaugh, Engelbert, Burlingame, Havens, Aronstam)

Nays – 0

The motion carried.

**Request to Cash-out Unused Vacation Time:** Trustee Sinsabaugh moved to pay Clerk Treasurer Wood for any unused vacation time due to all the grant and projects activity, therefore, was unable to take the time off. Currently, she has 63 unused hours, which will expire on October 19, 2019. Trustee Sweeney seconded the motion, which carried unanimously.

**Salt Spreader:** Trustee Havens stated he had two quotes from DPW Lead Jack Pond for a new salt spreader. Both quotes were from Bradco Supply, however, they were two different sizes. Attorney Keene stated this could only be considered as one quote, and two more should be obtained. The Board agreed. Trustee Havens would discuss with Jack Pond.

**Attorney/Client Discussion:** Trustee Sinsabaugh moved to break at 7:10 p.m. to meet with Attorney. Trustee Sweeney seconded the motion, which carried unanimously.

Trustee Sweeney moved to enter regular session at 7:16 p.m. Trustee Havens seconded the motion, which carried unanimously.

**Adjournment**: Trustee Sweeney moved to adjourn at 7:17 p.m. Trustee Burlingame seconded the motion, which carried unanimously. Respectfully submitted,

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Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, OCTOBER 22, 2019 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Present were Trustees: Sinsabaugh, Aronstam, Havens, Burlingame, Sweeney, and Mayor Ayres

Also present were Clerk Treasurer Wood, and Attorney Keene

Press included Johnny Williams of the Morning Times, and Claudia Chacona of The Choice Radio

**Public Comments:** Sherri Estep, 529 Fulton Street, stated concern with parking on only one side of the street. She stated it would interfere with shared driveways, and handicapped parking. She also stated it would cause blind spots, and lower property values on the sides with parking.

Janel Golden, 491 Waverly Street, stated concern that if the street were wider by only parking on one side, the traffic would be faster and more dangerous. She stated people will park in front of driveways, and village should install curbing on the sides for parking.

Dave Cummings, 532 Fulton Street, stated concern that visitors would have no place to park. He stated there is no problem passing cars when cars are parked on both sides and asked why change it? He also stated that other agencies such as, Police, Fire Department, and EMS have no issues with the parking the way it is. He also asked the Board why the public hasn’t been involved in these discussions.

Dan Fravel, 478 Fulton Street, stated he feels this is unnecessary change which will lead to hardships. He stated he is against it.

Doug McFarland, 120 Moore Street, stated concern that this will cause hardships, and speeding. Also, guest that currently park on the street will have no place to park.

Laura Houseknecht, 427 Fulton Street, stated concern with one-sided parking as she has no driveway at her house.

Ron Keene, 7 Elliott Street, asked when Tioga County is taking over Code Enforcement. He stated this is all being done behind closed doors and not being brought to the Board for discussion. Mayor Ayres stated Tioga County received a grant and is doing a feasibility study regarding code enforcement. Information from the study should be available this summer. He stated he would further talk about this later in the meeting.

**Finance Committee/Approval of Abstract:** Trustee Burlingame presented the following abstracts, and moved to approve payment. Trustee Sinsabaugh seconded the motion, which carried unanimously.

General Fund Abstract $ 37,830.09

Cemetery Fund Abstract 0.00

Total of All Abstracts submitted: $ 37,830.09

**Capital Projects Abstract:** Trustee Burlingame moved to approve the following expenditures be paid from the Capital Projects Fund. Trustee Sinsabaugh seconded the motion, which carried unanimously.

Delta Engineers Glen Park Invoice #11 $4,594.14

**Glen Park Project:** The clerk read a letter from The Donald Guthrie Foundation for Education and Research stating their Community Benefit Committee has approved a grant of $5,000 towards a walking path with Guthrie Signage in support of the restoration of the Waverly Glen Park.

Mayor Ayres stated the large pavilion has been disassembled and the pad removed. The restrooms have also been demolished and removed.

**Parking Committee:** Attorney Keene submitted a first draft of the proposed local law regarding parking. She stated she needs more time to review the conflicts with current parking restrictions. She is also waiting on a response from General Code as to how they want to handle the conflicts. Mayor Ayres stated this process will take some time and outlined the process. He stated it could potentially be the beginning of 2020 before it is finalized.

**Village Assessments/Assessor:** Mayor Ayres stated he believes this needs to be reviewed more, and recommended maintaining our current assessor for the fiscal year 2020-2021. He also stated we need to monitor grievances and tax litigation cases. The Board agreed. He asked the clerk to remove this item from future agendas.

**Storm Sewer Replacement/Clinton Avenue:** Mayor Ayres stated that due to winter weather approaching soon, he would like to push the construction back until the Spring. He stated the contractor agreed. The Board agreed.

**Municipal Solutions Contract for Bond Services:** The clerk submitted an amended contract from Municipal Solutions for financial services in relation to the Bond Anticipation Note Borrowing. Due to the 6-month extension of the borrowing for the WWTP Upgrade Project, their increase is $2,800. The original contract, dated August 23, 2016, is in the amount of $15,000 and will increase to $23,300. Trustee Havens moved to approve the amended contract from Municipal Solutions, dated October 16, 2019, as presented and authorize Mayor Ayres to sign. Trustee Sinsabaugh seconded the motion, which led to a roll call vote and resulted as follows:

Ayes – 6 (Burlingame, Sweeney, Sinsabaugh, Aronstam, Havens, Ayres)

Nays – 0

Absent – 1 (Engelbert)

The motion carried.

**Appointment to Planning Board:** Mayor Ayres appointed James Hammond to the Planning Board to fill the vacancy left by Ronald Nogar. Trustee Sweeney moved to approve the appointment of James Hammond. Trustee Aronstam seconded the motion, which carried unanimously.

**Code Enforcement/Tioga County:** Mayor Ayres stated the Tioga COG (Council of Governments), is comprised of countywide Municipal Leaders. They meet monthly and discuss issues that they have within their municipality. One issue is code enforcement and the difficulty it is to find qualified code officers. This topic comes up frequently. There might be options through a shared service agreement. Tioga County will help seek options through a feasibility study. There is no commitment on anyone or any municipality at this time. Mayor Ayres stated again that this is just an avenue to help with this issue and explore potential options. If and when options are available, it would be discussed with the Board.

**Mayor/Board Comments:**  Trustee Aronstam stated he met with representative of Dandy, New York State, and Tioga County regarding safety of the intersection. Dandy had offered to strip directional arrows in their parking lot. Trustee Aronstam stated Dandy has painted their lot and looks great.

Trustee Sinsabaugh asked when the Land Bank properties are going back on the tax roll. Mayor Ayres stated the Land Bank is getting appraisals and working on a marketing plan. Letter are being sent to adjoining properties to see if they are interested in purchase. Trustee Aronstam stated he would rather see lots sold whole and be developed, as adjoining property owners will use as side-lot and tax roll will decrease.

Mayor Ayres stated as the political season approached, he reminded everyone that signage is not allowed in the greenspace between the road and the sidewalks.

**Executive Session:** Trustee Havens moved to enter executive session at 7:17 p.m. to discuss the employment history on an employee. Trustee Sweeney seconded the motion, which carried unanimously.

Trustee Aronstam moved to enter regular session at 7:30 p.m. Trustee Havens seconded the motion, which carried unanimously.

Trustee Havens stated Street Department Laborer Damion Bidlack obtained his CDL-Class B License. Street Department Lead Jack Pond recommended he be promoted. Trustee Havens moved to promote Damion Bidlack to Equipment Operator at a rate of $18.40 per hour, which is a step in their contract. This will be effective on October 25, 2019. Trustee Sweeney seconded the motion, which led to a roll call vote and resulted as follows:

Ayes – 6 (Burlingame, Sweeney, Sinsabaugh, Aronstam, Havens, Ayres)

Nays – 0

Absent – 1 (Engelbert)

The motion carried.

**Adjournment**: Trustee Sweeney moved to adjourn at 7:32 p.m. Trustee Sinsabaugh seconded the motion, which carried unanimously. Respectfully submitted,

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Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, NOVEMBER 12, 2019 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Present were Trustees: Sinsabaugh, Engelbert, Havens, Burlingame, Sweeney, and Mayor Ayres

Also present were Clerk Treasurer Wood, Code Officer Robinson, Attorney Keene, Tioga County Legislator Dennis Mullen, and Dave Cole with the Waverly-Barton Fire District

Press included Johnny Williams of the Morning Times, and Deb Luchaco of The Choice Radio

**Public Comments:** Jackie Freeman, 102 Florence Street, stated concern regarding the proposed on-street parking changes. She stated it would be dangerous for children to cross the street, and would cause cars to go faster. There would be no place for guest to park.

Sherri Estep, 529 Fulton Street, concern with drainage and parking. She stated that water accumulates on one side of Fulton Street and the proposed parking would cause more of a problem.

James Ellis, 533 Fulton Street, stated fire trucks get through with no issues. He also stated that with the proposed parking, they would get plowed in.

Jennifer Becker, 517 Clark Street, stated concern that visitors would have no place to park and elderly would have to walk a long distance to get home. She stated she is against the proposed parking.

Anne Hoey, 526 Clark Street, stated the proposed parking would cause an inconvenience and a safety concern with children crossing the street. Also concern with parking for church as many park along the street.

Laura Houseknecht, 527 Fulton Street, concern that if you had to park in front of someone else’s home, they would damage your vehicle.

**Letters and Communications:** The clerk read a Letter of Resignation from Code Enforcement Officer Bob Chisari stating due to health concerns he has decided to retire, effective 10/28/2019. The Board thanked him for his service and wished him well.

The clerk read a letter from Ann Marie Stedge, 133 Chemung Street, stating concern with the creek bank eroding on her property. Mayor Ayres stated he would check with Tioga County Water & Soil Conservation.

The clerk read a letter from NYS DOT stating they will perform a review of the traffic at the intersection of NYS Routes 34 and 17C. They will assess the current situation and outline opportunities for improvement. They will notify us when complete.

The clerk read a letter from Kieran Bezila Ph.D. stating she is with CRG and they have been hired by Tioga County to conduct a review of code enforcement operations with the county. They are gathering information from code officers and asking the governing boards for any further input or comments.

**Approval of Minutes:** Trustee Sinsabaugh moved to approve the Minutes of October 8, and October 22, 2019 as presented. Trustee Engelbert seconded the motion, which carried unanimously.

**Department Reports:** The clerk submitted department reports from Recreation, Police, and Code Enforcement.

**Treasurer's Reports:** Clerk Treasurer Wood presented the following financial reports:

General Fund 10/1/19 – 10/31/19

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 182,898.84 | Current Revenues | 68,054.15 |
| Deposits | 147,182.78 | Year to Date Revenue | 2,376,139.81 |
| Disbursements | -229,598.12 | Current Expenditures | 197,816.16 |
| Ending Balance | 100,483.50 | Year to Date Expended | 1,333,277.89 |

\*General Capital Reserve Fund, $385,484.90

\*Current Estimated Fund Balance, $1,839,819.08

Cemetery Fund 10/1/19 – 10/31/19

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 16,344.55 | Current Revenues | 334.06 |
| Deposits | 300.69 | Year to Date Revenue | 35,943.86 |
| Disbursements | -632.45 | Current Expenditures | 632.45 |
| Ending Balance | 16,012.79 | Year to Date Expended | 34326.22 |

\*Current Estimated Fund Balance, $29,771.46

Loan Programs 10/1/19 – 10/31/19

|  |  |  |  |
| --- | --- | --- | --- |
| Business Loans |  | Rehab Loans | Balances |
| Beginning Balance | 26,740.38 | Beginning Balance | 5,990.42 |
| Deposits | 615.84 | Deposits | 598.42 |
| Disbursements | 0.00 | Disbursements | 0.00 |
| Ending Balance | 27,356.22 | Ending Balance | 6,588.84 |
| Money Market/Savings | 352,299.83 | MM/Savings Balance | 159,589.75 |
| Due from CP/Glen Park | 60,000.00 | Sidewalk Balance | 7,987.00 |
| Total Fund Balance | 439,656.05 | Total Available Balance | 174,165.59 |

*\*outstanding loans $17,225.15 \*outstanding loans $26,897.67*

Capital Projects Fund 10/1/19 – 10/31/19

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Storm Drain Project | Glen Park Project | WWTP Upgrade | Restore NY |
| Beginning Balance | 0.00 | 75,033.09 | 1,051,375.33 | 379.98 |
| Deposits/Debits | 0.00 | 2,250.00 | 0.00 | 0.00 |
| Disbursements/Credits | -8,430.64 | -5,786.06 | -24,595.22 | 0.00 |
| Ending Balance | -8,430.64 | 71,497.03 | 1,026,780.11 | 379.98 |

\*Total Capital Projects Fund Balance $1,089,846.50

**Finance Committee/Approval of Abstract:** Trustee Burlingame presented the following abstracts, and moved to approve payment. Trustee Havens seconded the motion, which carried unanimously.

General Fund Abstract $75,764.15

**Capital Projects Abstract:** The Board questioned payment application #1 for Chicago Construction for the Storm Drains Replacement Project as they will not be starting until Spring. The clerk stated she would get more information. Trustee Burlingame moved to approve the following expenditures be paid from the Capital Projects Fund. Trustee Havens seconded the motion, which carried unanimously.

Delta Engineers Glen Park Project Inv. 12 $11,761.94

Austin Sand & Gravel Glen Park Project Inv. 1629 636.72

**Tioga County Update:** Tioga County Legislator Mullen stated they passed the 2020 Budget and stayed under the 2% tax cap for the 9th year in a row. Due to the Criminal Justice Reform, there were significant increases within the county and will carry over to the municipalities. The early voting cost nearly $100,000 and anticipate it increasing with the upcoming Presidential Election. Sales tax revenue increased 16%. He stated they passed getting a new emergency center and communications system which with cover the entire county. The current communications system is very old and not working well. It has become a safety concern. Dave Cole, with the Fire Department, agreed with Mullen as the communications is a real concern and happy to see that this will be addressed.

**Glen Park Project:** Mayor Ayres stated the pavilion pad is poured, the restroom forms and footers are in, and they will start setting the blocks for the restrooms. Mayor Ayres explained there were issues during excavation with the soil. Due to layer of “garbage”, the soil was not reaching the right compaction for the restroom building to be erected upon.

Change Order #1, Walsh & Sons Construction: The clerk submitted Change Order #1 in the amount of $6,280. This was submitted due to the discovery of unacceptable soils, additional excavation, and provided structural fill. Trustee Sinsabaugh moved to approve Change Order #1 for Walsh & Sons Construction as presented. Trustee Engelbert seconded the motion, which carried unanimously.

**Parking Committee:** Attorney Keene submitted a draft proposed local law to have one-sided parking on several streets. Discussion followed. Dave Cole, from the Fire Department, stated there are some big concerns with some areas, and it makes it very difficult and sometimes impossible to get the fire trucks through. He stated when there is a fire, seconds really do matter. He offered to have fire truck rides for the public so that they can see the difficulty. He stated they had a recent fire on Clark Street which could have been very serious if there was parking on both sides. Mayor Ayres acknowledged concerns that the residents have, however, this needs to be looked at from a safety point of view. He stated this is just the beginning and there could possibly be many changes to the proposed law before it’s voted on.

**Authorization to Purchase a Salt Spreader:** The clerk submitted three quotes for a 9’ 4.0 cubic yard stainless steel dual hydraulic drive spreader. They were as follows:

Bradco Supply Company $8,405

Douglas Equipment & Supply Co. 9,050

U. S. Municipal 8,980

Trustee Havens moved to authorize the purchase of a salt spreader from Bradco Supply Company in the amount of $8,405. Trustee Burlingame seconded the motion, which carried unanimously.

**Urban Tree Grant:** Mayor Ayres stated there are grants available to help with removing and planting trees. In order to file the grant application, we would need to have a tree inventory. He submitted a proposal from Thoma Development to file an application for a grant to develop a tree inventory. Their proposed cost is $3,000. Mayor Ayres recommended, if approved, that this could be paid for out of the Business Development funds. Trustee Havens moved to approve Thoma Development’s proposal for $3,000 as presented, and pay that from the Business Development (Loan) Fund. Trustee Engelbert seconded the motion, which carried unanimously.

**Tree Bid:** The clerk submitted one bid for removing/trimming trees. It was from M. K. Tree Trimmers in the amount of 26,230. Discussion followed. Trustee Sinsabaugh moved to reject the bid, and rebid again. Trustee Havens seconded the motion, which carried unanimously.

**Tioga County Planning Board:** Trustee Burlingame moved to nominate Rawley Filbin to Tioga County Planning Board for a three-year term. Trustee Havens seconded the motion, which carried unanimously.

**Code Enforcement:** Mayor Ayres stated Code Officer Robinson has been doing a great job filling in for Bob Chisari’s absence. Discussion followed. Trustee Havens moved Code Officer Robinson to take over all duties of Code Enforcement and increase wages to $22,941.36 annually ($441.18 weekly), and retroactive to October 1, 2019. Trustee Engelbert seconded the motion, which carried unanimously.

Trustee Sinsabaugh moved to approve hiring Kay Robinson temporarily to help organize the Code Enforcement files and office at a rate of $12 per hour, and up to 25 hours per week for 3 weeks, effective November 15, 2019. Trustee Havens seconded the motion, which carried unanimously.

**Executive Session:** Trustee Havens moved to break at 8:00 p.m. to discuss the employment history of an employee. Trustee Sweeney seconded the motion, which carried unanimously.

Trustee Burlingame moved to enter regular session at 8:24 p.m. Trustee Havens seconded the motion, which carried unanimously.

The clerk read a Letter of Resignation from Clerk Cheryl Heffernan, stating she will be resigning due to another employment opportunity. Her last day of work will be November 18, 2019, however, due to scheduled medical leave for her daughter, her effective date will be November 29, 2019. Trustee Engelbert moved to approve she be paid for three days of sick leave as outlined in the employee handbook, and the Letter of Resignation be accepted as effective on November 21, 2019, as she will not be returning to work. Trustee Sinsabaugh seconded the motion, which carried unanimously.

**Adjournment**: Trustee Havens moved to adjourn at 8:30 p.m. Trustee Burlingame seconded the motion, which carried unanimously. Respectfully submitted,

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Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, NOVEMBER 26, 2019 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Present were Trustees: Sinsabaugh, Aronstam, Havens, Sweeney, Engelbert, and Mayor Ayres

Also present were Clerk Treasurer Wood, and Attorney Keene

Press included Johnny Williams of the Morning Times, and Deb Luchaco of The Choice Radio

**Public Comments:** There were no comments offered.

**Approval of Minutes:** Trustee Sweeney moved to approve the Minutes of November 12, 2019 as presented. Trustee Havens seconded the motion, which carried unanimously.

**Finance Committee/Approval of Abstract:** Trustee Sweeney presented the following abstracts, and moved to approve payment. Trustee Havens seconded the motion, which carried unanimously.

|  |  |
| --- | --- |
| Fund/Abstract | Amount |
| General Fund | $ 19,359.79 |
| Cemetery Fund | 320.30 |

**Capital Projects Abstract:** Trustee Sinsabaugh moved to approve the following expenditures be paid from the Capital Projects Fund. Trustee Engelbert seconded the motion, which carried unanimously.

|  |  |  |  |
| --- | --- | --- | --- |
| Vendor | Project | Invoice | Amount |
| Chicago Construction | Storm Sewer/Drains | #1 | $ 6,650.00 |

**Glen Park Project:** Mayor Ayres sated the large pavilion has been disassembled and painting has begun. Trustee Aronstam stated the Guthrie Foundation has donated $5,000 to the Glen Park Project. The Board thanked the Guthrie Foundation for their donation.

**Parking Committee:** Trustee Aronstam stated the reason the Village is looking at the on-street parking is due to safety. He stated there may be help for residents to help with their parking situations. Trustee Sinsabaugh stated parking has been an issue for many years. It was a concern with every previous Board, however, was never followed through on. He thanked this committee for their dedication and to keep moving forward with the parking.

**Curb Cut Application:** The clerk presented a curb cut application from David and Betty Blair for the property located at 198 Center Street. The clerk stated Chief Gelatt and Street Operator Pond have reviewed and had offered no concerns. Trustee Sinsabaugh moved to approve the curb cut at 528 Clark Street. Trustee Aronstam seconded the motion, which carried unanimously.

**Buy Back Cemetery Lot:** The clerk stated Kevin Wheeler, Executor of the Estate of Patricia Gorski, has requested the Village buy back a cemetery lot in Glenwood Cemetery (Monument Section, Lot 319 W1, two graves) as it is no longer needed. The original deed has been returned to Village. Trustee Sinsabaugh moved to buy back said cemetery lot at the original purchase amount of $250. Trustee Engelbert seconded the motion, which carried unanimously.

**School Resource Officer:** The clerk stated the state may raise the maximum earnings allowance for retirement to $35,000, effective January 1, 2019. The Waverly School District has requested the School Resource Officer’s salary reflect the increase from $30,000 to $35,000; and the school will reimburse the village. Trustee Sinsabaugh moved to increase the School Resource Officer’s annual salary to $35,000 contingent upon New York State increasing the maximum earnings allowance for the retirement system, effective January 1, 2019. Trustee Havens seconded the motion, which carried unanimously.

**Trees/Sidewalks:** Mayor Ayres stated there are many sidewalks disrupted by tree roots. The sidewalks are the owners’ responsibility, however, the trees are village trees. He stated concern with liability. Mayor Ayres asked Attorney Keene to review the “prior notice” for liability.

**Adjournment**: Trustee Aronstam moved to adjourn at 6:58 p.m. Trustee Sweeney seconded the motion, which carried unanimously. Respectfully submitted,

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Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, DECEMBER 10, 2019 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Present were Trustees: Sinsabaugh, Engelbert, Havens, Burlingame, Aronstam, and Mayor Ayres

Also present were Clerk Treasurer Wood, Chief Gelatt, and Attorney Keene

Press included Johnny Williams of the Morning Times, and Deb Luchaco of The Choice Radio

**Public Comments:** Margaret Prinzi, 447 Chemung Street, stated the DPW did a great job with plowing. She stated that several sidewalks were not shoveled and were in bad shape.

Ron Keene stated the *Wreaths across America* event will be held on December 14th. They will begin at Glenwood Cemetery at 11:00 a.m. The Waverly VFW and American Legion will be placing wreaths at all of Waverly’s Cemeteries, the Veterans’ Memorial at Muldoon Park, and at the tank at the VFW Building. He invited the Board Members and public to join in.

**Letters and Communications:** The clerk read a letter from Maureen Abbott, of Tioga Opportunities, asking for a letter of support for their Homebuyer Down Payment Assistance Grant Application. Trustee Havens moved to offer support and Mayor Ayres to send letter of support. Trustee Sinsabaugh seconded the motion, which carried unanimously.

**Approval of Minutes:** Trustee Havens moved to approve the Minutes of November 26, 2019 as presented. Trustee Sinsabaugh seconded the motion, which carried unanimously.

**Department Reports:** The clerk submitted department reports from Recreation, Police, and Code Enforcement.

**Treasurer's Reports:** Clerk Treasurer Wood presented the following financial reports:

General Fund 11/1/19 – 11/30/19

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 100,483.50 | Current Revenues | 90,832.13 |
| Deposits | 317,636.94 | Year to Date Revenue | 2,466,971.94 |
| Disbursements | -207,116.38 | Current Expenditures | 521,175.18 |
| Ending Balance | 211,004.06 | Year to Date Expended | 1,854,453.07 |

\*General Capital Reserve Fund, $85,626.90

\*Current Estimated Fund Balance, $1,409,476.03

Cemetery Fund 11/1/19 – 11/30/19

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 16,012.79 | Current Revenues | 31.82 |
| Deposits | .63 | Year to Date Revenue | 35,975.68 |
| Disbursements | -207.45 | Current Expenditures | 527.75 |
| Ending Balance | 15,805.97 | Year to Date Expended | 34,853.97 |

\*Current Estimated Fund Balance, $29,275.53

Loan Programs 11/1/19 – 11/30/19

|  |  |  |  |
| --- | --- | --- | --- |
| Business Loans |  | Rehab Loans | Balances |
| Beginning Balance | 27,356.22 | Beginning Balance | 6,588.84 |
| Deposits | 858.92 | Deposits | 523.43 |
| Disbursements | 0.00 | Disbursements | 0.00 |
| Ending Balance | 28,215.14 | Ending Balance | 7,112.27 |
| Money Market/Savings | 352,531.48 | MM/Savings Balance | 159,694.69 |
| Due from CP/Glen Park | 60,000.00 | Sidewalk Balance | 7,987.00 |
| Total Fund Balance | 440,746.62 | Total Available Balance | 174,793.96 |

*\*outstanding loans $16,491.40 \*outstanding loans $26,396.06*

Capital Projects Fund 11/1/19 – 11/30/19

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Storm Drain Project | Glen Park Project | WWTP Upgrade | Restore NY |
| Beginning Balance | -8,430.64 | 71,497.03 | 1,026,780.11 | 379.98 |
| Deposits/Debits | 300,000.00 | 5,000.00 | 0.00 | 0.00 |
| Disbursements/Credits | -6,650.00 | -12,398.66 | -5,404.50 | 0.00 |
| Ending Balance | 284,919.36 | 64,098.37 | 1,021,375.61 | 379.98 |

\*Total Capital Projects Fund Balance $1,370,393.34

**Finance Committee/Approval of Abstract:** Trustee Burlingame presented the following abstracts, and moved to approve payment. Trustee Engelbert seconded the motion, which carried unanimously.

General Fund Abstract $257,877.61

**Glen Park Project:** Mayor Ayres stated there is a tentative meeting on Friday.

**Proposed Local Law, One-Sided Street Parking:**  Attorney Keene submitted a final draft local law which amends parking to one side on multiple streets in the Village of Waverly. The Board reviewed. Trustee Sinsabaugh moved to schedule a public hearing for January 14, 2020 at 6:00 p.m. to hear public comments, and the clerk to advertise the same. Trustee Aronstam seconded the motion, which carried unanimously.

**Rehab Loan Write-Off:** The clerk presented a history report on loan ST100 and stated the home owner is deceased and the property went through a bank foreclosure. This loan has been delinquent since 2015. Attorney Keene stated the foreclosure was finalized and we cannot recuperate any funds. Trustee Havens moved to write-off loan ST100 in the amount of $4,334.61. Trustee Burlingame seconded the motion, which carried unanimously.

**Tree Bids:** Mayor Ayres opened the bids for tree removal and trimming. They were as follows:

MK Tree Trimmers $23,890

Temple Tree Service 41,790

Mattison’s Bucket Service 18,500

Ernest Pozzi 8,300

Big Stumps Tree Service 38,900

The Board had concerns with the range of the bids and will review the bids. Trustee Sinsabaugh offered to meet with the low bidder to make sure his bid was accurate.

**Sidewalk Loan Program:** The clerk stated that several years ago we segregated funds from the Rehab Loan Fund to use toward the Sidewalk Replacement Program. The clerk requested the release of the segregation and account for the Sidewalk Program through the Rehab Loan Fund. The clerk stated these funds are in the same bank account, and this is just an accounting change. The Sidewalk Program has not had much activity in the past year. Any future applications will be handled in the same manner and accounted for in the Rehab Loan Fund. Trustee Sinsabaugh moved to comingle the funds as requested. Trustee Engelbert seconded the motion, which carried unanimously.

**Budget Committee:** Mayor Ayres appointed Trustees Sinsabaugh, Sweeney, and Havens to work with Clerk Treasurer Wood and the department heads on the 2020 -2021 Tentative Budget. They all accepted.

**December Meeting:** Due to the Holiday, the December 24, 2019 meeting is cancelled.

**Mayor/Board Comments:** Mayor Ayres stated he is following up on the letter from Mary Ann Stedge regarding creek erosion. He has contacted Legislator Dennis Mullen and will schedule a meeting with Tioga County Soil and Water to discuss options.

**Executive Session:** Trustee Sinsabaugh moved to enter Executive Session at 7:09 p.m. to discuss the potential hiring of a new employee. Trustee Havens seconded the motion, which carried unanimously.

Trustee Burlingame moved to enter regular session at 7:41 p.m. Trustee Aronstam seconded the motion, which carried unanimously.

Trustee Sinsabaugh moved to approve hiring Russell E. Buesink, Jr. as a Full Time Police Officer, effective January 1, 2020. He is a lateral transfer (Jamestown, NY) and will be paid as a Tier 4 Officer in the bargaining agreement. He will be under Civil Service probation for 26 weeks. Trustee Aronstam seconded the motion, which led to a roll call vote and resulted as follows:

Ayes – 6 (Burlingame, Engelbert, Sinsabaugh, Aronstam, Havens, Ayres)

Nays – 0

Absent – 1 (Sweeney)

The motion carried.

**Adjournment**: Trustee Engelbert moved to adjourn at 7:43 p.m. Trustee Burlingame seconded the motion, which carried unanimously. Respectfully submitted,

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Michele Wood, Clerk Treasurer

**SPECIAL MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 3:00 P.M.**

**ON MONDAY, DECEMBER 23, 2019 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 3:00 p.m.

**Roll Call:** Trustees Present: Andrew Aronstam, Steven Burlingame, Kevin Sweeney, Jerry Sinsabaugh, Charles Havens, and Mayor Patrick Ayres

Also present were Clerk Treasurer Michele Wood, Chief Dan Gelatt, and Attorney Betty Keene

Press included Matt Freeze of the Morning Times, and Deb Luchaco of WATS/WAVR

Chief Gelatt stated the Police Department will be down an officer due to an upcoming retirement in July. He stated recently there have not been many candidates on the Civil Service list for our area. He interviewed Andrew Yeckinevich as a potential new officer. Mr. Yeckinevich has passed the Civil Service exam, however, he has not been through the police academy. There is an academy starting in January, and the next one won’t be until late summer. The duration of the academy is six months. Chief Gelatt recommended hiring Mr. Yeckinevich as a Part Time Police Officer and sponsor him through the academy. Discussion followed.

Trustee Aronstam moved to hire Andrew Yeckinevich as Part Time Police Officer at the contractual rate of an Uncertified PT Officer, effective immediately. Trustee Sweeney seconded the motion, which led to a roll call vote and resulted as follows:

Ayes – 6 (Sweeney, Burlingame, Sinsabaugh, Aronstam, Havens, Ayres)

Nays – 0

Absent – 1 (Engelbert)

The motion carried.

Trustee Aronstam moved to sponsor Andrew Yeckinevich through the Police Academy beginning January 2, 2020. Trustee Sweeney seconded the motion, which led to a roll call vote and resulted as follows:

Ayes – 6 (Sweeney, Burlingame, Sinsabaugh, Aronstam, Havens, Ayres)

Nays – 0

Absent – 1 (Engelbert)

The motion carried.

**Adjournment**: Trustee Havens moved to adjourn at 3:07 p.m. Trustee Sinsabaugh seconded the motion, which carried unanimously.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Michele Wood, Clerk/Treasurer

**PUBLIC HEARING HELD BY THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY AT 6:00 P.M.**

**ON TUESDAY, JANUARY 14, 2020 IN THE TRUSTEES' ROOM OF**

**VILLAGE HALL FOR THE PURPOSE OF PUBLIC COMMENT**

**REGARDING PROPOSED LOCAL LAW TO AMEND**

**CHAPTER 140: VEHICLES AND TRAFFIC, ONE-SIDED PARKING**

Mayor Ayres declared the hearing open at 6:00 p.m. and directed the clerk to read the notice of public hearing.

**Roll Call:** Trustees Present: Andrew Aronstam, Steven Burlingame, Kevin Sweeney, Jerry Sinsabaugh, Charles Havens, and Mayor Patrick Ayres

Also present were Clerk Treasurer Michele Wood, Tioga County Legislator Dennis Mullen, and Attorney Betty Keene

Press included Deb Luchaco of WATS/WAVR, and Johnny Williams of the Morning Times

Mayor Ayres summarized the changes in the law. He stated parking has been an ongoing concern for many, many years. The village has narrow streets which restricts traffic, and making it very difficult for large, emergency vehicles to get through. Over the years, these vehicles have gotten larger. He acknowledged the residents’ concerns with one-sided parking, however, the main focus has, and should be, on safety. He opened the floor for comments.

Dan Leary, 63 Pine Street, stated parking as always been an issue. Parking in the Business District was lost when Elizabeth Square was built. The Village used to have parking meters on Broad Street, which were taken out in 1972. He commended this Board for taking action on this issue, and supports their decision.

Margaret Prinzi, 447 Chemung Street, stated she feels a lot of the issues with parking on Broad Street is the merchants parking in front of their buildings. She also requested the directional sign to the Business District, located at the intersection of Broad Street and Cayuta Avenue, should be moved for better visibility.

Susan Brady, 502 Fulton Street, stated that there are eight apartment houses on the west side of Fulton Street. She asked why the No Parking restriction was changed to the west side. She stated concern that all of the cars for the rentals will now be on the other side of the street and tearing up the property owners’ greenspace, and littering. She would like the committee to evaluate it again.

Eric Knolles, Waverly School Superintendent, thanked the Board for letting the school district be involved throughout this process. He stated that unfortunately some of the streets leading to the schools do not have sidewalk access, therefore, students are walking in the street. He feels that one-sided parking on these streets would be much safer for the students walking to school each morning.

Ron Keene, 7 Elliott Street, stated Elliott Street needs to be looked at as it is now a main bus route for the school. People are parking in the street and on the greenspace. He also stated if curbing was installed next to the sidewalk, and the greenspace was eliminated, that would widen the street.

Cindy Stevens, Pine Street, stated the real issues is with the rental houses with multiple families. These places have a lot of cars and small or no driveways. She asked how the side of the street for parking was determined. Trustee Aronstam stated this was done by determining what side of the street the fire hydrants were on and recommendations from the Fire Department. She also stated concern with parking near the corner. Attorney Keene stated this amendment would also address those concerns. Attorney Keene also stated our Zoning Law does address parking at rental houses, however, the zoning didn’t go into effect until 2003.

Jennifer Hill, 6 Orange Street, asked the Board if they looked into odd/even parking. If they didn’t, they should. She stated this works in many other municipalities.

Mayor Ayres read a statement from the Waverly Public Safety Committee. It stated they understand the concerns around restricted parking with availability in many cases being limited but at the same time also recognize that avoiding this concern is not a proper solution either and can jeopardize property and even life if emergency vehicles cannot get through. The intent of the Safety Committee is to identify areas that pose a safety concern, identify the concern, and make recommendations for correction. The opinion of the Safety Committee was that if the fire apparatus is unable to get through, school buses, snow plows, and other large vehicles would also struggle. The restricted parking would certainly help and for that the committee is thankful.

Trustee Burlingame stated he is not if favor of the widespread restrictive parking. He feels that some of the areas definitely need to be changed, but other areas may not. He feels it is too broad of an area for these changes, and further investigation should be done.

With no one else wishing to be heard, Mayor Ayres closed the hearing at 6:47 p.m.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Michele Wood, Clerk/Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, JANUARY 14, 2020 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Trustees Present: Andrew Aronstam, Steven Burlingame, Kevin Sweeney, Jerry Sinsabaugh, Charles Havens, and Mayor Patrick Ayres

Also present were Clerk Treasurer Michele Wood, Tioga County Legislator Dennis Mullen, and Attorney Betty Keene

Press included Johnny Williams of the Morning Times, and Deb Luchaco of WATS/WAVR

**Public Comments:** Chris Davies, Chairman of the Bark Park Committee, stated the group is looking to purchase or lease land to use as a dog park. He asked if the Village had any land that could be considered.

**Approval of Minutes:** Trustee Sinsabaugh moved to approve the Minutes of December 10, 2019 as presented. Trustee Havens seconded the motion, which carried unanimously.

**Department Reports:** The clerk submitted department reports from Recreation, and Code Enforcement. Trustee Sweeney stated Sewer Plant is dealing with grease and wipe issues. Trustee Burlingame stated the Village was awarded a NYS Water Infrastructure Improvement Act (WIIA) Grant through NYS EFC in the amount of $3,000,000 for watermain replacements. The total project costs are estimated at $5,000,000. The Board of Water Commissioner are also pursuing another grant from USDA.

**Treasurer's Reports:** Clerk Treasurer Wood presented the following financial reports:

General Fund 12/1/19 – 12/31/19

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 211,004.06 | Current Revenues | 193,748.64 |
| Deposits | 385,768.12 | Year to Date Revenue | 2,660,720.58 |
| Disbursements | -439,796.91 | Current Expenditures | 421,007.64 |
| Ending Balance | 156,975.27 | Year to Date Expended | 2,275,460.71 |

\*General Capital Reserve Fund, $85,677.50

\*Current Estimated Fund Balance, $1,182,217.03

Cemetery Fund 12/1/19 – 12/31/19

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 15,805.97 | Current Revenues | 553.90 |
| Deposits | 525.68 | Year to Date Revenue | 36,529.58 |
| Disbursements | -818.62 | Current Expenditures | 498.32 |
| Ending Balance | 15,513.03 | Year to Date Expended | 35,352.29 |

\*Current Estimated Fund Balance, $29,331.11

Loan Programs 12/1/19 – 12/31/19

|  |  |  |  |
| --- | --- | --- | --- |
| Business Loans |  | Rehab Loans | Balances |
| Beginning Balance | 28,215.14 | Beginning Balance | 7,112.27 |
| Deposits | 652.95 | Deposits | 8,135.01 |
| Disbursements | 0.00 | Disbursements | 0.00 |
| Ending Balance | 28,868.09 | Ending Balance | 15,247.28 |
| Money Market/Savings | 352,741.07 | MM/Savings Balance | 159,789.63 |
| Due from CP/Glen Park | 60,000.00 | Sidewalk Balance | 0.00 |
| Total Fund Balance | 441,609.16 | Total Available Balance | 175,036.91 |

*\*outstanding loans $16,491.40 \*outstanding loans $26,396.06*

Capital Projects Fund 12/1/19 – 12/31/19

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Storm Drain Project | Glen Park Project | WWTP Upgrade | Restore NY |
| Beginning Balance | 284,919.36 | 64,098.37 | 1,021,375.61 | 379.98 |
| Deposits/Debits | 0.00 | 1,700.00 | 4,664,046.29 | 0.00 |
| Disbursements/Credits | 0.00 | 0.00 | -4,681,371.87 | 0.00 |
| Ending Balance | 284,919.36 | 65,798.37 | 1,004,050.03 | 379.98 |

\*Total Capital Projects Fund Balance $1,354,767.76

**Finance Committee/Approval of Abstract:** Trustee Burlingame presented the following abstracts, and moved to approve all payments: General Fund Abstract $73,612.35; and Cemetery Fund Abstract $14.12. Trustee Havens seconded the motion, which carried unanimously.

Mayor Ayres stated he received a text message from Trustee Englebert stating he has moved out of state, and resigning his seat as Trustee. Mayor Ayres appointed Trustee Sinsabaugh to the Finance Committee, and Trustee Sinsabaugh accepted.

**Capital Projects Abstract:** Trustee Burlingame moved to approve the following expenditures be paid from the Capital Projects Fund. Trustee Sinsabaugh seconded the motion, which carried unanimously.

|  |  |  |  |
| --- | --- | --- | --- |
| Vendor | Project | Invoice | Amount |
| Hunt Engineers | Storm Sewer/Drains | #2 | $ 2,635.27 |

**Tioga County Update:** Tioga County Legislator Mullen updated the Board on county issues. There are many concerns with the new Bail Reform Act, and sales tax revenue is still rising. He stated the county is looking for PT District Attorneys for arraignment hearings.

**Glen Park Project:** Mayor Ayres stated there is a meeting on Friday. The pavilion work is progressing and should be completed soon. Trustee Aronstam stated we have received a $13,000 donation from Tioga Downs, bringing our total donations to date to approximately $80,000, and is continuing.

**Proposed Local Law, Amending Chapter 140: Vehicles and Traffic, One-Sided Street Parking:**  Mayor Ayres submitted one quote for needed signage from Bradco in the amount of $6,462.52, and advised DPW to get a second quote.

Trustee Sinsabaugh stated in light of tonight’s concerns he would recommend this proposed local law go back to the committee for another review to resolve any issues that came up. He supports moving forward with one-sided parking as presented, he just wants to make certain we did all we could do and not have to change it again in the near future. Discussion followed and the rest of the Board agreed. There was no motion at this time.

**Tree Bids:** Trustee Sinsabaugh stated he and the clerk met with the low bidder, Ernest Pozzi, and discussed his bid. Mr. Pozzi stated he had not included removal of the stumps, and thought the Village would dispose of the wood. His bid was not accurate. The clerk stated there have been more tree complaints since that should also be part of the bid. Discussion followed on the need to make a bid package. This would standardize each bid, and all details of the scope of work would be included. Trustee Sinsabaugh moved to reject all bids at this time. Trustee Burlingame seconded the motion, which carried unanimously.

**Tree Committee:** Mayor Ayres stated concern that there are a lot of trees that need to be assessed, and the costs have increased exponentially. Mayor Ayres stated the Village used to have an active tree committee that would assess each tree, and offer recommendations to the clerk. Currently, Marty Borko is doing all on his own as a volunteer. Trustee Havens offered to work with the Clerk and Mr. Borko.

**Election Day Resolution:** Trustee Sinsabaugh offered the following resolution and moved its adoption:

WHEREAS, the Annual Election of the Village of Waverly be held in the Trustees’ Room in the Village Hall, at 32 Ithaca Street, Waverly, New York, between the hours of 12:00 o’clock noon and 9:00 o’clock in the afternoon of Wednesday, March 18, 2020, and

WHEREAS, the following be designated as Inspectors of Election: Joan Case, Laura Hoppe, Donna Casterline, and Nila Rumsey and be paid $150.00 each, and

WHEREAS, Joan Case be hereby appointed Chairman of the Board, and

WHEREAS, the Board of Trustees gives the Clerk-Treasurer the sole authority to replace any inspector who becomes unavailable prior to election, and

BE IT RESOLVED, the Village of Waverly will hold their General Election on Wednesday, March 18, 2020 for the purpose of electing three (3) Trustees, each for a term of two years.

The resolution was seconded by Trustee Havens and upon voice vote, unanimously carried.

**CDBG New Applicant Approval Request:** The clerk submitted an approval request for a project to be done on the 2018 CDBG. It is as follows:

* 2018-01 Total Cost - $ 30,000

work includes: windows, doors, plumbing, heating, interior and exterior carpentry, electric, roofing, and other

Trustee Sinsabaugh moved to authorize the above project as submitted. Trustee Havens seconded the motion, which carried unanimously.

**Code Enforcement:** Mayor Ayres stated the clerical help with code enforcement has help a lot. He recommended continuing the help. The clerk also stated that this relieves of office staff too. Trustee Sinsabaugh moved to hire Kay Robinson as Part Time Clerk at no more than 10 hours per week. Trustee Aronstam seconded the motion, which carried unanimously.

**Adjournment**: Trustee Sinsabaugh moved to adjourn at 7:55 p.m. Trustee Burlingame seconded the motion, which carried unanimously.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, JANUARY 28, 2020 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Trustees Present: Andrew Aronstam, Steven Burlingame, Kevin Sweeney, Jerry Sinsabaugh, Charles Havens, and Mayor Patrick Ayres

Also present were Clerk Treasurer Michele Wood, and Attorney Betty Keene

Press included Johnny Williams of the Morning Times, and Deb Luchaco of WATS/WAVR

Press included Johnny Williams of the Morning Times, and Deb Luchaco of The Choice Radio

**Public Comments:** There were no comments offered.

**Letters and Communications:** The clerk read a letter from Court Clerk Lynette Nickels stating that the Waverly Justice Court was awarded a grant from JCAP in the amount of $1,070.44. This will be used to update their law books, supplies, and a replacement conference table.

**Approval of Minutes:** Trustee Sinsabaugh moved to approve the Minutes of December 23, 2019, and January 14, 2020 as presented. Trustee Havens seconded the motion, which carried unanimously.

**Department Reports:** The clerk submitted a report from the Police Department. Trustee Sinsabaugh reported that Officer Yeckinevich is doing very well at the academy.

**Finance Committee/Approval of Abstract:** Trustee Burlingame presented the following abstracts, and moved to approve all payments: General Fund Abstract $58,002.96. Trustee Sinsabaugh seconded the motion, which carried unanimously.

**Capital Projects Abstract:** Trustee Sinsabaugh moved to approve the following expenditures be paid from the Capital Projects Fund. Trustee Burlingame seconded the motion, which carried unanimously.

|  |  |  |  |
| --- | --- | --- | --- |
| Vendor | Project | Invoice | Amount |
| Walsh & Sons Construction | Glen Park | #1 | $123,297.75 |
| Walsh & Sons Construction | Glen Park | #2 | 57,065.22 |

**Glen Park Project:** Mayor Ayres presented the bid package and scope of work to be done at the Glen Park. He stated that some of the projects will be bid as alternatives. Discussion followed. Trustee Aronstam moved to authorize the package to go out to bid as presented. Trustee Havens seconded the motion, which led to a roll call vote and resulted as follows:

Ayes – 6 (Sweeney, Burlingame, Sinsabaugh, Aronstam, Havens, Ayres)

Nays – 0

Vacancy – 1

The motion carried.

**Proposed Local Law, Amending Chapter 140: Vehicles and Traffic, One-Sided Street Parking:**  Mayor Ayres stated there was further review on the proposed parking regulations. He stated the Safety Committee and School District also helped in the review. Trustee Aronstam thoroughly explained the changes. Attorney Keene will make the changes to the proposed local law for the next meeting.

**West Pine Street:** Mayor Ayres submitted a copy of a letter he wrote to the Town of Barton requesting an update on the repairs that they were going to do.

**Proposed Local Law: NYS Tax Cap Override:** The clerk submitted proposed local law Authoring a property tax levy in excess of the limit established in General Municipal Law §3-c. Trustee Sinsabaugh moved to schedule a public hearing for February 11, 2020 at 6:30 p.m. and the clerk to advertise the same. Trustee Sweeney seconded the motion, which carried unanimously.

**Board of Assessment Review Appointment:** Mayor Ayres appointed Kristi Zimmer to the Board of Assessment Review for a one-year term. Trustee Sweeney moved to approve the appointment as presented. Trustee Havens seconded the motion, which carried unanimously.

**Grievance Day Resolution:** Trustee Sinsabaugh offered the following resolution and moved its

adoption:

WHEREAS, The Board of Trustees is required by the Real Property Tax Law to provide a Grievance Day on the third Tuesday of February, 2020, and

WHEREAS, such third Tuesday falls on the 18th day February, 2020, and

WHEREAS, the Board of Assessment Review is required to meet for at least four hours to hear grievances, and

WHEREAS, each member of the Board of Assessment Review be paid $100 for their service, and

NOW, THEREFORE, BE IT RESOLVED, and it is hereby resolved that the Board of Assessment Review meet on the 18th day of February, 2020, in the Village Hall at 32 Ithaca Street, Waverly, NY, between the hours of 4:00 P.M. and 8:00 P.M. to hear complaints with respect to the Assessment Roll to be filed by the Assessor with the Clerk of the Village, on or before February 1, 2020, and the Clerk of the Village is further directed to publish statutory notice of such meeting required by the Real Property Tax Law.

The resolution was seconded by Trustee Havens and on voice vote, unanimously carried.

**Trees:** The clerk presented a bid package for trimming and removing trees. The Board reviewed its contents, and Attorney Keene made a change. Trustee Havens moved to add the change and put the tree work out to bid, and the clerk to advertise the same. Trustee Aronstam seconded the motion, which carried unanimously.

**Approval of 2018 CDBG Abstract:** The clerk presented the abstract for Drawdown #11 in the amount of $10,169.00. Trustee Ayres moved to approve the bills as presented. Trustee Uhl seconded the motion, which carried unanimously.

The clerk presented the abstract for Drawdown #12 in the amount of $73,057.97. Trustee Ayres moved to approve the bills as presented. Trustee Steck seconded the motion, which carried unanimously.

**2020 Poll Site Agreement:** The clerk presented a poll site agreement from Tioga County Board of Elections for elections to be held, as follows: Presidential Primary on April 28 2020, State/Local Primary on June 23, 2020, and the General Election on November 3, 2020. These elections will be conducted in our community room, and will accommodate three polling districts. Trustee Sinsabaugh moved to approve the agreement as presented. Trustee Burlingame seconded the motion, which carried unanimously.

**Approval of 2018 CDBG Abstract:** The clerk presented the abstract for Drawdown #2 in the amount of $12,573.00. Trustee Sinsabaugh moved to approve the bills as presented. Trustee Burlingame seconded the motion, which carried unanimously.

**Attorney/Client Discussion:** Trustee Sinsabaugh moved to break at 7:40 p.m. to meet with Attorney. Trustee Aronstam seconded the motion, which carried unanimously.

Trustee Sweeney moved to re-enter regular session at 8:11 p.m. Trustee Havens seconded the motion, which carried unanimously.

**Adjournment**: Trustee Aronstam moved to adjourn at 8:12 p.m. Trustee Sweeney seconded the motion, which carried unanimously. Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Michele Wood, Clerk Treasurer

**PUBLIC HEARING HELD BY THE BOARD OF**

**TRUSTEES OF THE VILLAGE OF WAVERLY AT 6:15 P.M.**

**ON TUESDAY, FEBRUARY 11, 2020 IN THE TRUSTEES' ROOM,**

**VILLAGE HALL FOR THE PURPOSE OF PUBLIC COMMENT**

**REGARDING PROPOSED LOCAL LAW 1-2018, AUTHORIZING**

**A PROPERTY TAX LEVY IN EXCESS OF THE LIMIT ESTABLISHED**

**IN GENERAL MUNICIPAL LAW §3-c**

Mayor Ayres declared the hearing open at 6:30 p.m. and directed the clerk to read the notice of public hearing.

**Roll Call:** Trustees Present: Andrew Aronstam, Steven Burlingame, Jerry Sinsabaugh, Charles Havens, and Mayor Patrick Ayres

Also present were Clerk Treasurer Michele Wood, Tioga County Legislator Dennis Mullen, and Attorney Betty Keene

Press included Johnny Williams of the Morning Times, and Deb Luchaco of WATS/WAVR

Trustee Ayres stated the budget committee and department heads are doing their due diligence to keep the budget as low as possible, however, it may be necessary to budget in excess of 2% in order not to jeopardize services. Mayor Ayres opened the floor for comments.

With no one wishing to be heard, Mayor Ayres closed the hearing at 6:35 p.m.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Michele Wood, Clerk/Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, FEBRUARY 11, 2020 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Trustees Present: Andrew Aronstam, Steven Burlingame, Jerry Sinsabaugh, Charles Havens, and Mayor Patrick Ayres. Trustee Kevin Sweeney arrived at 7:30 p.m.

Also present were Clerk Treasurer Michele Wood, Tioga County Legislator Dennis Mullen, and Attorney Betty Keene

Press included Johnny Williams of the Morning Times, and Deb Luchaco of WATS/WAVR

**Public Comments:** Margaret Prinzi, 447 Chemung Street, stated concern that the crosswalks were still not clear in the mornings. Mayor Ayres directed Ms. Prinzi to call Chief Gelatt when this occurs or any other concerns that she might have, and he will make sure that they get done.

**Letters and Communications:** The clerk read a letter from Reverend Steve Dygert, of the First Baptist Church, requesting use of Muldoon Park on April 12,2020 at 6:30 a.m. for Easter Sunrise Service and for anyone who wants to attend. There is no admission, people can come and go as they wish. Trustee Aronstam moved to approve the request, and waive rental charges, as presented. Trustee Sinsabaugh seconded the motion, which carried unanimously.

**Approval of Minutes:** Trustee Burlingame moved to approve the Minutes of January 28, 2020 as presented. Trustee Sinsabaugh seconded the motion, which carried unanimously.

**Department Reports:** The clerk submitted department reports from Recreation, Police, and Code Enforcement.

**Treasurer's Reports:** Clerk Treasurer Wood presented the following financial reports:

General Fund 1/1/20 – 1/31/20

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 156,975.27 | Current Revenues | 67,792.25 |
| Deposits | 269,089.34 | Year to Date Revenue | 2,728,512.83 |
| Disbursements | -248,866.89 | Current Expenditures | 219,733.25 |
| Ending Balance | 177,197.72 | Year to Date Expended | 2,495,193.96 |

\*General Capital Reserve Fund, $85,728.43

\*Current Estimated Fund Balance, $1,030,276.03

Cemetery Fund 1/1/20 – 1/31/20

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 15,513.03 | Current Revenues | 1,477.89 |
| Deposits | 1,749.66 | Year to Date Revenue | 38,007.47 |
| Disbursements | -521.57 | Current Expenditures | 221.57 |
| Ending Balance | 16,741.12 | Year to Date Expended | 35,573.86 |

\*Current Estimated Fund Balance, $30,587.43

Loan Programs 1/1/20 – 1/31/20

|  |  |  |  |
| --- | --- | --- | --- |
| Business Loans |  | Rehab Loans | Balances |
| Beginning Balance | 28,868.09 | Beginning Balance | 15,247.28 |
| Deposits | 872.05 | Deposits | 1,037.30 |
| Disbursements | -251.06 | Disbursements | -184.83 |
| Ending Balance | 29,489.08 | Ending Balance | 16,099.75 |
| Money Market/Savings | 352,950.78 | MM/Savings Balance | 159,884.62 |
| Due from CP/Glen Park | 60,000.00 | Sidewalk Balance | 0 |
| Total Fund Balance | 442,439.86 | Total Available Balance | 175,984.37 |

*\*outstanding loans $15,375.94 \*outstanding loans $26,754.67*

Capital Projects Fund 1/1/20 – 1/31/20

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Storm Drain Project | Glen Park Project | WWTP Upgrade | Restore NY |
| Beginning Balance | 284,919.36 | 65,798.37 | 1,004,050.03 | 379.98 |
| Deposits/Debits | 13,000.00 | 49,621.29 | 0.00 | 0.00 |
| Disbursements/Credits | -15,635.27 | 0.00 | -7,664.75 | 0.00 |
| Ending Balance | 282,284.09 | 115,419.66 | 996,385.28 | 379.98 |

\*Total Capital Projects Fund Balance $1,394,089.03

**Finance Committee/Approval of Abstract:** Trustee Burlingame presented the following abstracts, and moved to approve all payments: General Fund Abstract $17,310.28. Trustee Havens seconded the motion, which carried unanimously.

**Tioga County Update:** Tioga County Legislator Mullen updated the Board on county issues. There are many concerns with the new Bail Reform Act, and sales tax revenue is rising. He stated the county is working on the upcoming Census, and urged everyone to be counted.

**Glen Park Project:** Mayor Ayres stated there is a pre-construction meeting tomorrow.

Change Oder #1, Delta Engineers - Mayor Ayres stated Delta Engineering has requested additional funding of $13,958. He stated this is due to us breaking the scope of work into two separate phases, therefore; they had two projects and two bid packages, which required much more work. They also had charges for geo-tech services that were not included in original contract. Trustee Aronstam moved to approve the additional funding to as requested. Trustee Havens seconded the motion, which led to a roll call vote and resulted as follows:

Ayes – 5 (Burlingame, Sinsabaugh, Aronstam, Havens, Ayres)

Nays – 0

Absent – 1 (Sweeney)

Vacancy – 1

The motion carried.

**Attorney for Planning Board:** Attorney Keene stated she has a conflict regarding an upcoming case for the Planning Board and she would like to hire another attorney to help with it. Trustee Havens moved to hire an outside attorney as requested. Trustee Burlingame seconded the motion, which carried unanimously.

**Proposed Local Law 1-2018: Tax Cap Override:** Clerk Treasurer Wood requested the vote be tabled as the Budget Committee is still reviewing the budget to determine if the override is necessary. Trustee Sinsabaugh moved to table the vote until the Budget Committee meets again. Trustee Aronstam seconded the motion, which carried unanimously.

**Proposed Local Law, Amending Chapter 140: Vehicles and Traffic, One-Sided Street Parking:**

Attorney Keene submitted a new draft local law with the changes that were previously discussed. Discussion followed. Trustee Havens moved to schedule a Public Hearing for February 25, 2020 at 6:15 p.m. Trustee Sinsabaugh seconded the motion, which led to a roll call vote and resulted as follows:

Ayes – 4 (Sinsabaugh, Aronstam, Havens, Ayres)

Nays – 1 (Burlingame)

Absent – 1 (Sweeney)

Vacancy – 1

The motion carried.

**Mayor/Board Comments:** Mayor Ayres stated the WBA is looking at beautification projects and they are working with the School District. They would like to clean-up the Business District.

**Executive Session:** Trustee Sinsabaugh moved to enter Executive Session at 7:37 p.m. to discuss work performances of several employees. Trustee Burlingame seconded the motion, which carried unanimously.

Trustee Burlingame moved to enter regular session at 7::59 p.m. Trustee Sweeney seconded the motion, which carried unanimously.

**Adjournment**: Trustee Sweeney moved to adjourn at 8:00 p.m. Trustee Burlingame seconded the motion, which carried unanimously.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Michele Wood, Clerk Treasurer

**PUBLIC HEARING HELD BY THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY AT 6:15 P.M.**

**ON TUESDAY, FEBRUARY 25, 2020 IN THE TRUSTEES' ROOM OF**

**VILLAGE HALL FOR THE PURPOSE OF PUBLIC COMMENT**

**REGARDING PROPOSED LOCAL LAW TO AMEND**

**CHAPTER 140: VEHICLES AND TRAFFIC, ONE-SIDED PARKING**

Mayor Ayres declared the hearing open at 6:15 p.m. and directed the clerk to read the notice of public hearing.

**Roll Call:** Trustees Present: Andrew Aronstam, Steven Burlingame, Kevin Sweeney, Jerry Sinsabaugh, Charles Havens, and Mayor Patrick Ayres

Also present were Clerk Treasurer Michele Wood, and Attorney Betty Keene

Press included Deb Luchaco of the Choice Radio, and Johnny Williams of the Morning Times

Mayor Ayres summarized the changes in the law. He stated parking has been an ongoing concern for many years. The village has narrow streets which restricts traffic, and makes it very difficult for large, emergency vehicles to get through. Over the years, these vehicles have gotten larger. There are more cars per household. Many homes have been converted into multi-family housing which leads to more cars. Also, the greenspace is torn up and a mess from cars parking on them on most of the streets. He opened the floor for comments.

Mary Finlayson, 23 Orchard Street, asked why amend the current laws. She stated she doesn’t feel that any changes are necessary beyond the curve on Orchard Street. She requested the Board change the restriction on Orchard Street past the curve, as the neighborhood doesn’t need the stress.

Roseanne VanWie, 60 Orange Street, she stated that others are parking on her greenspace and making it a mess. She does not park on street. She submitted pictures showing the damage. She stated that once everyone is forced to park on her side, it will only get worse. She asked the Board why this was done at her area and would like the Board to change it.

Ron Keene, 7 Elliott Street, commended the Board for taking on this issue. Has been an ongoing issue for decades. He stated that over the years the building up of paving has reduced the curbing. He stated concern that this won’t be enforced. He feels the police have much bigger issues to deal with.

Brad Sherman, 7 Orange Street, asked that since the number of cars per household has increased, is eliminating half of the parking the answer? He asked the Board if they ever discussed one-way streets.

Tom Bellinger stated Blizzard Street only have three houses on the entire street, one is a rental property. He asked why it was necessary to restrict parking there. He stated the homeowner will have the cars from the rental property parking in front of his house.

The clerk read a letter from Sheryl Deibler, 90 Lincoln Street, stating that she felt the village is trying to fix a problem that doesn’t exist. If parking is an issue with the fire trucks, she recommended pulling it back further from the corners.

Mayor Ayres acknowledged the concerns of the residents. He feels the residents will adapt to the changes. He also stated that parking is a huge issue and may be changed again in the future. With no one else wishing to be heard, Mayor Ayres closed the hearing at 7:02 p.m.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Michele Wood, Clerk/Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, FEBRUARY 25, 2020 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 7:05 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Trustees Present: Andrew Aronstam, Steven Burlingame, Kevin Sweeney, Jerry Sinsabaugh, Charles Havens, and Mayor Patrick Ayres

Also present were Clerk Treasurer Michele Wood, and Attorney Betty Keene

Press included Johnny Williams of the Morning Times, and Deb Luchaco of The Choice Radio

**Public Comments:** Ron Keene, 7 Elliott Street, stated concern with the village shoveling, and probably will be mowing, the properties that were taken over by the Land Bank. He stated the residents shouldn’t be paying for this. He feels Mayor Ayres did not have the authority to have these sidewalks shoveled. Mr. Keene stated the seven properties should have never been torn down and taken off the tax roll.

**Letters and Communications:** The clerk read a letter from Chris Brewster, Waverly Library Director, stating they would like to donate two little free library boxes for placement in the parks. The library will regularly check and restock, if necessary. Mayor Ayres stated he would like to further discuss this with Mr. Brewster.

The clerk read a letter from NYS Homes and Community Renewal stating the Village of Waverly has had a successful completion of our 2014 NYS CDBG. We have met all contractual obligations, and the NYS Office of Community Renewal approves the closeout of this grant (1214HR311-14).

**Liquor License New Application:** The clerk submitted a 30-day advanced notice for a new application of a liquor license being filed with New York State. The notice was submitted by Shelley and Ramon Garcia on behalf of Garcia’s Mexican Restaurant located at 360 Broad Street. The clerk stated Chief Gelatt reviewed application and had no concerns. Trustee Sinsabaugh moved to accept the notice with no comment. Trustee Aronstam seconded the motion, which carried unanimously.

**Approval of Minutes:** Trustee Sinsabaugh moved to approve the Minutes of February 11, 2020 as presented. Trustee Havens seconded the motion, which carried unanimously.

**Finance Committee/Approval of Abstract:** Trustee Burlingame presented the following abstracts, and moved to approve all payments: General Fund Abstract $33,329.78, and Cemetery Fund Abstract $11.47. Trustee Aronstam seconded the motion, which carried unanimously.

**Glen Park Project:** Mayor Ayres stated the bid opening for the second phase of the project will be held on March 3, 2020 at 2:00 p.m. at Village Hall. He stated several contractors attended the pre-bid meeting.

**Land Bank Update:** Mayor Ayres submitted information which summarized the function of the Land Bank. He stated in the beginning, the village submitted a list of our worst, blighted properties. From that list, several were up for tax foreclosure. The Land Bank was awarded to Tioga County from revenues from lawsuits with the state, none of these funds were from taxes. Tioga County Land Bank invested $231,613.23 in the Village of Waverly, and we did not have to pay anything to have these properties taken down. Six of nine properties were torn down and the blight was removed. A house on Chemung Street was going to be rehabilitated, however, upon engineer inspection, it was determined to be too far gone and was also taken down. These properties all had some safety concerns and needed to come down. There are two homes that are scheduled for rehab, and both are under contract now. Once they are rehabilitated, they will be sold and put back on the tax roll with a much better return than previous.

**Proposed Local Law, Amending Chapter 140: Vehicles and Traffic, One-Sided Street Parking:**  Mayor Ayres stated he acknowledges the concerns of the residents, however, feels this is necessary for safety of all. Trustee Havens moved to approve the Local Law 01-2020 be adopted as follows:

(Changes to) § 140-43 Schedule XI: Parking and Standing Prohibited at All Times

In accordance with the provisions of §140-16, no person shall park or stand a vehicle at any time upon any of the following described streets or parts of streets:

Name of Street Side Location

Pine Street West From the intersection of Chemung Street and Pine Street going North to Moore Street

Orange Street West From the intersection of Chemung Street and Orange Street going North to Moore Street

Cadwell Avenue East From the intersection of Chemung Street and Cadwell Avenue going North to Moore Street

Clark Street West From the intersection of Chemung Street and Clark Street going North to Moore Street

Clark Street East From the intersection of Chemung Street and Clark Street to a point 90 feet North

Clark Street East From the intersection of Clark Street and Clinton Avenue to a point 90 feet southernly thereof

Ball Street East From the intersection of Chemung Street and Ball Street going North to Spring Street

Ball Street West From the intersection of Spring Street and Ball Street going North to the end of Ball Street

Elliott Street East From the intersection of Chemung Street and Elliott Street going North to Spring Street

Fulton Street East From the intersection of Chemung Street and Fulton Street going North to Moore Street

Waverly Street West From the intersection of Chemung Street and Waverly Street going North to Moore Street

Lincoln Street East From the intersection of Chemung Street and Lincoln Street going North to Spring Street

Florence Street South The entire length of Florence Street

Blizzard Street South The entire length of Blizzard Street

Park Place North The entire length of Park Place

Wilbur Street East The entire length of Wilbur Street

Clinton Avenue South The entire length of Clinton Avenue

Center Street East From the intersection of Chemung Street and Center Street going North to Spring Street

Orchard Street East From the intersection of Chemung Street and Orchard Street going North to Hickory Street

Providence Street North From the intersection of Spaulding Street and Providence Street going West to Pennsylvania Avenue

Elm Street North From the intersection of Spaulding Street and Elm Street going West to Pennsylvania Avenue

Ithaca Street Both Sides From the intersection of Chemung Street to Spaulding Street

(Adding) § 140-18.1 Article III: Parking prohibited certain dates

No person shall park a vehicle between the dates specified in Schedule XI-C (§140-43.3) at any time of the day, unless otherwise indicated, upon any of the streets or parts of streets described in said Schedule XI-C, attached to and made a part of this chapter.

(Deleting) § 140-43.3 Article VI: No Parking or Standing from November 1 to March 31

Name of Street Side Hours/Days/Dates Location

Fulton Street West All Hours 11/1 to 3/31 Chemung Street to Clinton Avenue

Trustee Sweeney seconded the motion, which led to a roll call vote and resulted as follows:

Ayes – 5 (Sinsabaugh, Aronstam, Havens, Sweeney, Ayres)

Nays – 1 (Burlingame)

Absent – 0

Vacancy – 1

The motion carried.

**Parking Enforcement:** Trustee Sinsabaugh stated he will meet with Chief Gelatt to discuss options.

**Proposed Local Law: Tax Cap Override:** Trustee Havens moved to adopt the proposed local law as follows:

A Local Law Authorizing a Property Tax Levy in Excess of the Limit

**Established in the General Municipal Law §3-c**

Section 1. Legislative Intent

It is the intent of this local law to allow the Village of Waverly to adopt a budget for the fiscal year commencing June 1, 2020 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government’s governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty (60%) percent of said governing body.

Section 3. Tax Levy Limit Override

The Board of Trustees of the Village of Waverly, County of Tioga, is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2020 that requires a real property tax levy in excess of the amount otherwise prescribed in the General Municipal Law §3-c.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to controversy in which such judgment or order shall be rendered.

Section 5. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

Trustee Aronstam seconded the motion, which led to a roll call vote and resulted as follows:

Ayes – 6 (Sinsabaugh, Aronstam, Havens, Burlingame, Sweeney, Ayres)

Nays – 0

Absent – 0

Vacancy – 1

The motion carried.

**Storm Sewer Replacement Project Change Order:** The clerk submitted Change Order #1 from Chicago Construction to add storm sewer work from Fulton Street to Clark Street, in the amount of $70,800. Mayor Ayres stated he would not like to move on this tonight. No action was taken.

**Tree Bids:** Mayor Ayres opened the bids for tree removal and trimming. They were as follows:

MK Tree Trimmers $33,500

Mattison’s Bucket Service 32,500

Quality Tree Service 22,950

Trustee Sinsabaugh and Trustee Havens will review the bids.

**Trane Maintenance Agreement:** The clerk presented an annual Service Agreement from Trane for HVAC maintenance in the amount of $8,959.00, effective March 1, 2020 through February 28, 2021. Trustee Sinsabaugh moved to approve the agreement as presented. Trustee Havens seconded the motion, which carried unanimously.

**Executive Session:** Trustee Havens moved to enter executive session at 8:05 p.m. to discuss an employee contract issue. Trustee Sinsabaugh seconded the motion, which carried unanimously.

The Board adjourned executive session at 8:15 p.m., and met with Attorney Keene for advice.

Trustee Havens moved to enter regular session at 8:36 p.m. Trustee Sweeney seconded the motion, which carried unanimously.

Trustee Havens moved to approve Lance Fraley to use 10 days of sick pay to care for wife after surgery. Trustee Sweeney seconded the motion, which carried unanimously.

**Proposed Local Law: Abolish Village Assessments/Assessor:** Attorney Keene stated she, Mayor Ayres, Trustee Aronstam, Trustee Havens, and Clerk Treasurer Wood had a conference call with Attorney Rick James, who specializes with real property assessments, and there is a lot of concern with our

equalization rate being 42%. The assessments were not kept up to the market values over many decades, which causes the assessments to become stagnant and unequal. Attorney Keene stated we would need a local law to terminate the status of being an assessing unit, and submitted a draft local law. The Board reviewed.

Mayor Ayres stated the intent is pass a local law for the voluntary termination of the Village’s status as an assessing unit, as provided in the Village Law and the Real Property Tax Law. It is also the intent of this local law to abolish the position of Assessor and to terminate any and all responsibility as provided by law for the review of the assessments of real property located within the Village of Waverly.

Trustee Sweeney moved to schedule a Public Hearing for March 10, 2020 at 6:00 p.m. to hear comments regarding the proposed local law to abolish our status as an assessing unit, and the clerk to advertise the same. Trustee Havens seconded the motion, which led to a roll call vote and resulted as follows:

Ayes – 6 (Sinsabaugh, Aronstam, Havens, Burlingame, Sweeney, Ayres)

Nays – 0

Absent – 0

Vacancy – 1

The motion carried.

**Resolution to Create Force Account:** Trustee Sweeney offered the following resolution, and moved its adoption.

RESOLUTION TO CREATE A FORCE ACCOUNT FOR THE VILLAGE

CLERK TREASURER TO BILL TIME RELATED TO WORK

PERFORMED ON THE WASTEWATER TREATMENT PLANT

UPGRADE PROJECT, CWSRF #C7-6214-01-00

WHEREAS, the Village Clerk Treasurer of the Village of Waverly was authorized to provide services related to the Wastewater Treatment Plant Upgrade Project (Project CWSRF #C7-6214-01-00) beyond her ordinary Village Clerk Treasurer activities and duties, and

WHEREAS, such activities included, but were not necessarily limited to, paperwork and administration related to the Project, and

BE IT RESOLVED, that these responsibilities required approximately 36 hours in fiscal year 2015-2016 charged at a rate of $20.65 per hour, 40 hours in fiscal year 2016-2017 charged at a rate of $21.35 per hour, 40 hours in fiscal year 2017-2018 charged at a rate of $24.50 per hour, 48 hours in fiscal year 2018-2019 charged at a rate of $25.20 per hour, and 48 hours in fiscal year 2019-2020 charged at a rate of $25.96 per hour for the Project, for a total of $5,033.08.

Trustee Havens seconded the motion, which led to a roll call vote and resulted as follows:

Ayes – 6 (Sinsabaugh, Aronstam, Havens, Burlingame, Sweeney, Ayres)

Nays – 0

Absent – 0

Vacancy – 1

The motion carried.

**Adjournment**: Trustee Havens moved to adjourn at 8:47 p.m. Trustee Sinsabaugh seconded the motion, which carried unanimously.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Michele Wood, Clerk Treasurer

**PUBLIC HEARING HELD BY THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY AT 6:00 P.M.**

**ON TUESDAY, MARCH 10, 2020 IN THE TRUSTEES' ROOM OF**

**VILLAGE HALL FOR THE PURPOSE OF PUBLIC COMMENT**

**REGARDING PROPOSED LOCAL LAW TO TERMINATE THE VILLAGE’S**

**STATUS AS AN ASSESSING UNIT FOR REAL PROPERTY TAX PURPOSES**

Mayor Ayres declared the hearing open at 6:00 p.m. and directed the clerk to read the notice of public hearing.

**Roll Call:** Trustees Present: Andrew Aronstam, Jerry Sinsabaugh, Charles Havens, and Mayor Patrick Ayres (Trustee Kevin Sweeney arrived at 6:16 p.m., and Trustee Steven Burlingame arrived at 6:21 p.m.)

Also present were Clerk Treasurer Michele Wood, and Attorney Betty Keene

Press included Chris Davis of the Choice Radio, and Johnny Williams of the Morning Times

Mayor Ayres stated the intent of the Board of Trustees of the Village of Waverly is to implement Section 1402(3) of the Real Property Tax Law providing for the voluntary termination of the Village’s status as an assessing unit, as provided in the Village Law and the Real Property Tax Law. It is also the intent of this local law to abolish the position of Assessor and to terminate any and all responsibility as provided by law for the review of the assessments of real property located within the Village of Waverly.

Mayor Ayres opened the floor for comments.

Ron Keene, 7 Elliott Street, asked the Board to rethink this move. It will drive everyone out of the village. He feels this is a means to give businesses a break and stick it to the residents. Also, businesses shouldn’t be given any PILOT’s, as this is also a burden on the residents. He stated the village should do a revaluation of the properties and keep our roll. He also asked why nobody has talked with the Town of Barton regarding this. Clerk Treasurer Wood stated she has discussed this with the Town’s assessor and the Town Supervisor. She has also been in contact with Tioga County Real Property. All had no concerns, as the town generates a village portion of their roll anyways, and no extra work was needed.

Margaret Pinzi, 447 Chemung Street, stated concern that her taxes would double. Mayor Ayres stated she should discuss her individual status with the clerk, as she may be able to calculate the change.

Mayor Ayres stated that by eliminating our assessing status, we would be using the Town of Barton’s roll. The Town’s roll is more up to date and more accurate than our roll. He stated some property taxes would go up by a little or a lot, and others would go down by a little or a lot. It is the responsibility the Boards (past, present, and future) to treat all taxpayers equal.

With no one else wishing to be heard, Mayor Ayres closed the hearing at 6:26 p.m. Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Michele Wood, Clerk/Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, MARCH 10, 2020 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Trustees Present: Andrew Aronstam, Jerry Sinsabaugh, Charles Havens, and Mayor Patrick Ayres (Trustee Kevin Sweeney arrived at 6:16 p.m., and Trustee Steven Burlingame arrived at 6:21 p.m.)

Also present were Clerk Treasurer Michele Wood, Code Enforcement Officer Chris Robinson, and Attorney Betty Keene

Press included Johnny Williams of the Morning Times, and Chris Davis of WATS/WAVR

**Public Comments:** Ron Keene, 7 Elliott Street, stated he doesn’t trust the Town of Barton with the assessments. He feels the Board is making a mistake, and should reconsider. He doesn’t feel that this wasn’t researched enough.

Margaret Prinzi, 447 Chemung Street, stated she doesn’t trust the Town of Barton with our money. Mayor Ayres stated village taxes would still get paid here. The town would not get our tax payments.

**Letters and Communications:** The clerk read an email from Janelle Dadonna, Project GROW, in cooperation with Cornell Cooperative Extension, they would like to request use of meeting room to share a talk with anyone interested. This is open to the community. This would be held on April 23, 2020 at 6:30 p.m. and last about an hour. Trustee Sweeney moved to approve their use of the room as requested, and waive any charges as they are working with CCE. Trustee Sinsabaugh seconded the motion, which carried unanimously.

The clerk read a letter from Commander William Chaffee, VFW Post 8104, requesting a donation for veteran grave flags. Attorney Keene would look into and get back with information.

The clerk read a letter from the Waverly VFW and American Legion requesting use of the community room as backup plan for bad weather for the Memorial Day Parade/Services on May 25th. Trustee Sweeney approved use and waive any fees, as requested. Trustee Sinsabaugh seconded the motion, which carried unanimously.

**Department Reports:** The clerk submitted department reports from Recreation, and Code Enforcement. Code Officer Robinson stated he is finding a lot of garbage and getting it cleaned up. Also, getting information out regarding repairing/replacing sidewalks.

Trustee Aronstam stated the Adult Recreation is meeting for art classes and will be going to technology classes. He stated donations were made to the Booster Club for batting cages to be installed at East Waverly Park.

**Treasurer's Reports:** Clerk Treasurer Wood presented the following financial reports:

General Fund 2/1/20 – 2/29/20

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 177,197.72 | Current Revenues | 55,664.20 |
| Deposits | 63,655.20 | Year to Date Revenue | 2,784,177.03 |
| Disbursements | -164,131.68 | Current Expenditures | 156,872.51 |
| Ending Balance | 76,721.24 | Year to Date Expended | 2,652,066.47 |

\*General Capital Reserve Fund, $85,776.11

Cemetery Fund 2/1/20 – 2/29/20

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 16,741.12 | Current Revenues | 27.07 |
| Deposits | .64 | Year to Date Revenue | 38,034.54 |
| Disbursements | -218.92 | Current Expenditures | 218.92 |
| Ending Balance | 16,522.84 | Year to Date Expended | 35,792.78 |

\*Perpetual Care Fund $33,678.49

Loan Programs 2/1/20 – 2/29/20

|  |  |  |  |
| --- | --- | --- | --- |
| Business Loans |  | Rehab Loans | Balances |
| Beginning Balance | 29,489.08 | Beginning Balance | 16,099.75 |
| Deposits | 803.91 | Deposits | 322.96 |
| Disbursements | -181.08 | Disbursements | 0.00 |
| Ending Balance | 30,111.91 | Ending Balance | 16,422.71 |
| Money Market/Savings | 353,147.08 | MM/Savings Balance | 159,973.54 |
| Due from CP/Glen Park | 60,000.00 | Sidewalk Balance | 0.00 |
| Total Fund Balance | 443,258.99 | Total Available Balance | 176,396.25 |

*\*outstanding loans $14,819.56 \*outstanding loans $26,175.60*

Capital Projects Fund 2/1/20 – 2/29/20

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Storm Drain Project | Glen Park Project | WWTP Upgrade | Restore NY |
| Beginning Balance | 282,284.09 | 115,419.66 | 996,385.28 | 379.98 |
| Deposits/Debits | 0.00 | 0.00 | 0.00 | 0.00 |
| Disbursements/Credits | 0.00 | -180,362.97 | -75,234.79 | 0.00 |
| Ending Balance | 282,284.09 | -64,943.31 | 921,150.49 | 379.98 |

\*Total Capital Projects Fund Balance $1,138,491.27

**Finance Committee/Approval of Abstract:** Trustee Burlingame presented the following abstracts, and moved to approve all payments: General Fund Abstract $22,987.85. Trustee Aronstam seconded the motion, which carried unanimously.

**Capital Projects Abstract:** Trustee Burlingame moved to approve the following expenditures be paid from the Capital Projects Fund. Trustee Sinsabaugh seconded the motion, which carried unanimously.

|  |  |  |  |
| --- | --- | --- | --- |
| Vendor | Project | Invoice | Amount |
| Delta Engineers | Glen Park Project | 12A | $ -3,398.75 |
| Delta Engineers | Glen Park Project | 13 | 7,804.60 |
| Delta Engineers | Glen Park Project | 14 | 9,583.43 |
| Total |  |  | 13,989.28 |

**Glen Park Project:** Mayor Ayres stated there were no bids submitted for the project. It was later determined that there were timing issues. The engineer recommended we rebid the project for fall construction. He also stated the alternate for the amphitheater has been removed. A private donation will be made to pay all the cost of the amphitheater. Trustee Aronstam moved to rebid the Glen Park Project out with the change to the fall construction period. Trustee Sinsabaugh seconded the motion, which led to a roll call vote and resulted as follows:

Ayes – 6 (Sinsabaugh, Aronstam, Havens, Burlingame, Sweeney, Ayres)

Nays – 0

Absent – 0

Vacancy – 1

The motion carried.

**Parking Enforcement:** Attorney Keene stated she will need more time to review.

**Parking Signage Quotes:**  Trustee Havens submitted three quotes for parking signage needed for the recent local law passing. They are:

Bradco Supply $6,910.39

Eastern Metal 7,480.00

US Municipal 7,985.60

Trustee Havens moved to approve purchasing the signage from Bradco Supply in the amount of $6,910.39. Trustee Sweeney seconded the motion, which carried unanimously.

**Tree Bids:** Trustee Havens stated he and Trustee Sinsabaugh reviewed the bids, and moved to award bid to Quality Tree Service in the amount of $22,950. This was the lowest, qualified bid on February 25th. Trustee Sweeney seconded the motion, which carried unanimously.

**Proposed Local Law: Abolish Village Assessments/Assessor:** Trustee Sinsabaugh stated he would like to table, have more outreach to the residents, and have another public hearing. Discussion followed. Trustee Aronstam moved to approve Local Law 02-2020 be adopted as follows:

A Local Law Relating to the Termination of the Village’s Status as an

Assessing Unit for Village Real Property Tax Purposes

**Section 1. Legislative Intent.** The intent of the Board of Trustees of the Village of Waverly is to implement Section 1402(3) of the Real Property Tax Law providing for the voluntary termination of the Village’s status as an assessing unit, as provided in the Village Law and the Real Property Tax Law. It is also the intent of this local law to abolish the position of Assessor and to terminate any and all responsibility as provided by law for the review of the assessments of real property located within the Village of Waverly.

**Section 2.** On or after the effective date of this local law, the Village of Waverly shall cease to be an assessing unit.

**Section 3.** The position of Assessor in the Village of Waverly is hereby abolished.

**Section 4.** The Board of Assessment Review in the Village of Waverly is hereby abolished.

**Section 5.** On or after the effective date of this local law, taxis in the Village of Waverly shall be levied on a copy of the applicable part of the assessment roll of the Town of Barton with the taxable status date of such controlling for village purposes.

**Section 6.** Within five days of the effective date of this local law, the Board of Trustees of the Village of Waverly shall file a copy of such local law with the Clerk and Assessor of the Town of Barton and with the Office of Real Property Tax Services.

**Section 7.** This local law shall take effect immediately upon filing with the Secretary of State, provided, however, that such local law is subject to a permissive referendum and the village clerk shall forthwith proceed to notice such fact and conduct such referendum if required by petition.

Trustee Havens seconded the motion, which led to a roll call vote and resulted as follows:

Ayes – 5 (Aronstam, Havens, Burlingame, Sweeney, Ayres)

Nays – 1 (Sinsabaugh)

Absent – 0

Vacancy – 1

The motion carried.

**Resolution to Abolish the Village’s Assessing Unit Status:** Trustee Aronstam offered the following resolution, and moved its adoption:

Be it resolved by the Board of Trustees of the Village of Waverly that, in accordance with the provisions of subdivision 2 of Section 1402 of the Real Property Tax Law, the Village assessment roll shall be based on the roll of the Town of Barton so far as practicable. This resolution shall remain in effect unless and until it is rescinded by a subsequent resolution or it is superseded by a local law, adopted in accordance with subdivision 3 of Section 1402 of the Real Property Tax Law, to abolish the Village’s assessing unit status. A copy of this resolution will be filed with the Office of Real Property Tax Services.

Trustee Havens seconded the motion, which led to a roll call vote and resulted as follows:

Ayes – 5 (Aronstam, Havens, Burlingame, Sweeney, Ayres)

Nays – 1 (Sinsabaugh)

Absent – 0

Vacancy – 1

The motion carried.

**Proposed Local Law: Repeal Local Law: Tax Cap Override:** The clerk submitted proposed local law to Repeal Local Law that Authorizes a property tax levy in excess of the limit established in General Municipal Law §3-c. Trustee Havens moved to schedule a public hearing for March 24, 2020 at 6:30 p.m. and the clerk to advertise the same. Trustee Burlingame seconded the motion, which carried unanimously.

**CDBG New Applicant Approval Request:** The clerk submitted an approval request for a project to be done on the 2018 CDBG. It is as follows:

* 2018-02 Total Cost - $ 26,285

work includes: windows, doors, plumbing, masonry, exterior carpentry, electric, and other

Trustee Havens moved to authorize the above project as submitted. Trustee Sinsabaugh seconded the motion, which carried unanimously.

**Approval of 2018 CDBG Abstract:** The clerk presented the abstract for Drawdown #3 in the amount of $1,584.50. Trustee Sweeney moved to approve the bills as presented. Trustee Havens seconded the motion, which carried unanimously.

**Approval of Restore NY Grant Abstract:** The clerk presented a payment request in the amount of $230,659.05 from the Restore NY Grant. She stated the funds will be deposited into our account from NYS, and then the two-party payment will be made to Tioga State Bank & Teaoga Development. Trustee Sweeney moved to approve payment. Trustee Havens seconded the motion, which carried unanimously.

**Valley Y:** Mayor Ayres stated a group is exploring bringing in a Y program to the Valley. He will keep the Board updated is he gets any information.

**Adjournment**: Trustee Sinsabaugh moved to adjourn at 7:25 p.m. Trustee Sweeney seconded the motion, which carried unanimously.

Respectfully submitted,

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Michele Wood, Clerk Treasurer

**PUBLIC HEARING HELD BY THE BOARD OF**

**TRUSTEES OF THE VILLAGE OF WAVERLY AT 6:30 P.M.**

**ON TUESDAY, MARCH 24, 2020 IN THE TRUSTEES' ROOM,**

**VILLAGE HALL FOR THE PURPOSE OF PUBLIC COMMENT**

**REGARDING PROPOSED LOCAL LAW THAT REPEALS THE**

**LOCAL LAW THAT AUTHORIZES A PROPERTY TAX LEVY IN EXCESS**

**OF THE LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-c**

Mayor Ayres declared the hearing open at 6:30 p.m. and directed the clerk to read the notice of public hearing.

**Roll Call:** Trustees Present: Andrew Aronstam, Kevin Sweeney, Jerry Sinsabaugh, Charles Havens, and Mayor Patrick Ayres

Also present was Clerk Treasurer Michele Wood

Press included Johnny Williams of the Morning Times

Mayor Ayres stated the Board passed a Local Law at the meeting of February 25, 2020; to override the tax cap regulation. He stated the Tentative Budget reflects there is no need to override, and the Board will proceed with repealing the Local Law. Mayor Ayres opened the floor for comments.

With no one wishing to be heard, Mayor Ayres closed the hearing at 6:35 p.m.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Michele Wood, Clerk/Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, MARCH 24, 2020 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:35 p.m., and led in the Invocation and the Pledge of Allegiance. He stated during this COVID-19, Coronavirus Pandemic, the Village has reduced the workforce to essential or limited numbers working at the same time, as Governor Cuomo has placed restrictions to help social distance people and help stop the spread of the virus. He stated that there are essential functions the village still has to do. We will keep meetings down to the bare functions needed. He urged everyone to abide by the safety precautions given by the CDC and Public Health Department.

**Public Comments:** Johnny Williams, of the Morning Times, stated this would be his last meeting as a reporter as he has taken another employment opportunity. The Board thanked him for all he has done for us and his fair treatment throughout the years. Mayor Ayres wished him well in his future.

**Finance Committee/Approval of Abstract:** Trustee Sinsabaugh presented the following abstracts, and moved to approve all payments: General Fund Abstract $81,209.11, and Cemetery Fund Abstract $256.23. Trustee Havens seconded the motion, which carried unanimously.

**Proposed Local Law: Repeal Tax Cap Override:** Trustee Aronstam moved to approve the adoption of Proposed Local Law as follows:

To Repeal Local Law That Authorizes a Property Tax Levy in Excess

of the Limit Established in the General Municipal Law §3-c

Section 1. Legislative Intent

It is the intent of this local law to allow the Village of Waverly to adopt a budget for the fiscal year commencing June 1, 2020 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government’s governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty (60%) percent of said governing body.

Section 3. Tax Levy Limit Override

The Board of Trustees of the Village of Waverly, County of Tioga, is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2020 that requires a real property tax levy in excess of the amount otherwise prescribed in the General Municipal Law §3-c.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to controversy in which such judgment or order shall be rendered.

Section 5. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

Trustee Havens seconded the motion, which led to a roll call vote, and resulted as follows:

Ayes – 5 (Aronstam, Sinsabaugh, Havens, Sweeney, Ayres)

Nays – 0

Absent – 1 (Burlingame)

Vacancy - 1

The motion carried.

**2020-2021 Tentative Budget / Public Hearing:** Mayor Ayres stated the 2020-2021 Tentative Budget is available at the Clerks’ Office for review. Trustee Sinsabaugh moved to schedule a Public Hearing on April 14, 2020 at 6:15 p.m. to hear comments in regards to the 2020-2021 Tentative Budget, and the clerk to advertise the same. Trustee Havens seconded the motion, which carried unanimously.

**CDBG New Applicant Approval Requests:** The clerk submitted requests for a project to be done on the 2018 CDBG. They are as follows:

* 2018-03 Total Cost - $ 26,217.00

work includes: windows, doors, plumbing, masonry, interior carpentry, electric, and other

* 2018-04 Total Cost - $ 32,267.91

work includes: windows, doors, plumbing, painting, interior and exterior carpentry, electric, and roofing

Trustee Havens moved to authorize the above projects as submitted. Trustee Sweeney seconded the motion, which carried unanimously.

**Fair Housing Month:** Trustee Sinsabaugh offered the following resolution, and moved its adoption:

WHEREAS, in accordance with the Title VIII Fair Housing Policy of the Civil Rights Act of 1968 and the Fair Housing Amendments Act of 1988 and,

WHEREAS, the month of April 2020 has been designated by the U.S. Department of Housing and Urban Development’s Office of Fair Housing and Equal Opportunity as Fair Housing Month.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of the Village of Waverly hereby declares and proclaims April as Fair Housing Month in the Village.

Trustee Sweeney seconded the motion, which carried unanimously.

**Mayor/Board Comments:** Trustee Aronstam stated he attended a meeting with Mayor Ayres, Chief Gelatt, Tioga County Legislator Mullen, and other representatives from the Village, EMS, School District, Tioga County Public Health Department. He stated the meeting was informative and was very impressed with the leadership.

Mayor Ayres stated he recommended Chief Gelatt be the point of contact through this crisis. At this point there is no knowledge of how long this will last. Governor Cuomo is enacting more restrictions every day. A lot of business have to close right down, while others can only operate under restricted conditions. Again, he urged everyone to follow the CDC Guidelines by staying home, social distancing, no large groups of people, wash hands, sanitize, and stay home if feeling sick. He stated updates are being done through the Police Department’s Facebook Page.

**Adjournment**: Trustee Sinsabaugh moved to adjourn at 6:45 p.m. Trustee Aronstam seconded the motion, which carried unanimously.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, APRIL 14, 2020 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Due to the Coronavirus/COVID-19 outbreak and Governor Andrew Cuomo’s Executive Orders, this meeting and Public Hearing for the Budget was cancelled. The village will await further direction from the Governor’s office.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, APRIL 28, 2020 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres stated this meeting is being teleconferenced and recorded.

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance. He asked for a moment of silence for the passing of Gerald Keene, Sr.

**Roll Call:** Trustees Present: Andrew Aronstam, Jerry Sinsabaugh, Charles Havens, Steven Burlingame, Kevin Sweeney, and Mayor Patrick Ayres

Also present were Clerk Treasurer Michele Wood, Code Enforcement Officer Chris Robinson, and via teleconference Attorney Betty Keene

**Letters and Communications:** Mayor Ayres updated the Board on the recent COVID-19 outbreak. He stated Chief Gelatt is the main contact for any COVID-19 questions or concerns, and safety of residents and staff. He stated as of Monday, May 4th, all DPW employees will be onsite. They will be practicing social distancing and sanitation. The Clerk’s office will still be on reduced staffing and working as needed. The offices will not be opened to the public.

**Approval of Minutes:** Trustee Sinsabaugh moved to approve the Minutes of February 25, March 10, and March 24, 2020 as presented. Trustee Burlingame seconded the motion, which carried unanimously.

**Department Reports:** The clerk submitted department reports from Recreation, Code Enforcement, and Police (February and March reports). Mayor Ayres stated we are unsure if the Summer Recreation Program can be scheduled for this year. We are waiting on further direction from the Governor’s office regarding the program. He stated the Parks are open to the public, however, the use of playground equipment is prohibited due to the COVID-19 outbreak.

**Treasurer's Reports:** Clerk Treasurer Wood presented the following financial reports:

General Fund 3/1/20 – 3/31/20

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 76,721.24 | Current Revenues | 98,857.11 |
| Deposits | 772,611.79 | Year to Date Revenue | 2,883,034.14 |
| Disbursements | -519,171.44 | Current Expenditures | 215,563.62 |
| Ending Balance | 330,161.59 | Year to Date Expended | 2,867,630.09 |

\*General Capital Reserve Fund, $85,798.67

Cemetery Fund 3/1/20 – 3/31/20

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 16,522.84 | Current Revenues | 4,514.99 |
| Deposits | 4,500.66 | Year to Date Revenue | 42,549.53 |
| Disbursements | -463.68 | Current Expenditures | 463.68 |
| Ending Balance | 20,559.82 | Year to Date Expended | 36,256.46 |

\*Perpetual Care Fund $33,678.49

Loan Programs 3/1/20 – 3/31/20

|  |  |  |  |
| --- | --- | --- | --- |
| Business Loans |  | Rehab Loans | Balances |
| Beginning Balance | 30,111.91 | Beginning Balance | 16,422.71 |
| Deposits | 403.02 | Deposits | 502.42 |
| Disbursements | 0.00 | Disbursements | 0.00 |
| Ending Balance | 30,514.93 | Ending Balance | 16,925.13 |
| Money Market/Savings | 353,253.51 | MM/Savings Balance | 160,021.75 |
| Due from CP/Glen Park | 60,000.00 | Sidewalk Balance | 0.00 |
| Total Fund Balance | 443,768.44 | Total Available Balance | 176,946.88 |

*\*outstanding loans $14,452.12 \*outstanding loans $25,419.71*

Capital Projects Fund 3/1/20 – 3/31/20

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Storm Drain Project | Glen Park Project | WWTP Upgrade | Restore NY |
| Beginning Balance | 282,284.09 | -64,943.31 | 921,150.49 | 379.98 |
| Deposits/Debits | 0.00 | 10,210.00 | 0.00 | 0.00 |
| Disbursements/Credits | 0.00 | -13,989.28 | -2,735.50 | 0.00 |
| Ending Balance | 282,284.09 | -68,722.59 | 918,414.99 | 379.98 |

\*Total Capital Projects Fund Balance $1,131,976.49

**Finance Committee/Approval of Abstract:** Trustee Burlingame presented the following abstracts, and moved to approve all payments: General Fund Abstract $14,160.46, and Cemetery Fund Abstract $7,113.35. Trustee Havens seconded the motion, which carried unanimously.

**Capital Projects Abstract:** Trustee Sinsabaugh moved to approve the following expenditures be paid from the Capital Projects Fund. Trustee Sweeney seconded the motion, which carried unanimously.

|  |  |  |  |
| --- | --- | --- | --- |
| Vendor | Project | Invoice | Amount |
| Delta Engineers | Glen Park Project | 15 | $ 5,530.49 |
| Delta Engineers | Glen Park Project | 16 | 4,470.17 |
| Shumaker Consulting | Glen Park Project | 6 | 3,482.03 |
| Walsh & Sons Construction | Glen Park Project | 3 | 25,899.79 |
| Total |  |  | 39,382.48 |

**Glen Park Project:** Mayor Ayres stated the bathroom construction is proceeding. He submitted the bids for the next phase. They were as follows:

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Contractor | Base Bid | Alt. 1 | Alt. 2 | Alt. 3 | Alt.4 | Bid Total |
| Procon | 589,000 | 26,000 | 23,600 | 6,200 | 29,000 | 673,800 |
| Bothar | 526,117 | 48,840 | 12,300 | 7,000 | 23,100 | 617,357 |

He stated the bids came in excessively high, and he recommended we deny all bids. The engineer’s estimate was $374,329 (total). He stated the engineer is going to contact the contractors to try to understand why they were so high. Trustee Aronstam moved to deny all bids as presented. Trustee Sinsabaugh seconded the motion, which carried unanimously.

Trustee Aronstam moved to approve Wilcox Building Specialties to furnish and install 4 solid polymer toilet compartments, 4 powder coated steel toilet compartments, and accessories for the Glen Park restrooms at a cost of $3,570. Trustee Havens seconded the motion, which carried unanimously.

**VFW Request for Donation:** Mayor Ayres stated the VFW requested a donation to help with the veteran’s cemetery flags at a prior meeting. Attorney Keene reviewed and since this is a benefit to the village and a veteran’s group, that it would be allowed. Trustee Sweeney moved to approve a donation to the VFW Post 8104 for $500 to help purchase flags to be put on veterans’ graves. Trustee Havens seconded the motion, which carried unanimously.

**2020-2021 Tentative Budget:**  Mayor Ayres stated since our Public Hearing was cancelled due to Governor Cuomo’s Executive Order, and we were not prepared to hold a teleconference meeting, the Tentative Budget will default to the Final Budget on May 1st. There were no concerns from the Board.

**Approval of 2018 CDBG Abstract:** The clerk presented the abstract for Drawdown #4 in the amount of $2,175. Trustee Havens moved to approve the bills as presented. Trustee Burlingame seconded the motion, which carried unanimously.

**Water Infrastructure Improvement Project:** Mayor Ayres stated at a prior meeting, the Board increased the Bond Resolution for this project to $5,045,455. We have received a grant for $3,000,000 from WIIA, and waiting for a response for additional funding from USDA. Discussion followed. This project will replace many water mains throughout the village. The clerk stated the Board of Water Commissioners recommended approval to move forward with this project. Trustee Aronstam moved to proceed with the project as presented. Trustee Burlingame seconded the motion, which carried unanimously.

Hunt Engineers: The clerk submitted an agreement from Hunt Engineers. Attorney Keene stated she has reviewed it and had no concerns. The contract was in the sum of $845,783. Discussion followed regarding the cost of the construction observation. Tim Steed, of Hunt Engineers, offered insight on the costs and the duties. Trustee Havens moved to approve Hunt Engineers’ Agreement and authorized Mayor Ayres to sign. Trustee Sinsabaugh seconded the motion, which led to a roll call vote and resulted as follows:

Ayes – 6 (Aronstam, Sinsabaugh, Havens, Burlingame, Sweeney, Ayres)

Nays – 0

Vacancy – 1

The motion carried.

Municipal Solutions: The clerk submitted an agreement from Municipal Solutions for financial consulting for the Water Infrastructure Improvement Project in the amount $11,000. Attorney Keene reviewed the agreement, and had no concerns. Trustee Aronstam moved to approve Municipal Solution’s Agreement and authorized Mayor Ayres to sign. Trustee Sinsabaugh seconded the motion, which led to a roll call vote and resulted as follows:

Ayes – 6 (Aronstam, Sinsabaugh, Havens, Burlingame, Sweeney, Ayres)

Nays – 0

Vacancy – 1

The motion carried.

**Live Scan Equipment Replacement:** Trustee Sinsabaugh stated the Police Department’s Live Scan Equipment has reached its end-of-life and will no longer be supported as of December 31, 2020. This equipment is for fingerprint processing and required by law to have when arrests are made. The clerk submitted a cost of $17,776 to replace, and a one-time charge of $2,500 to migrate data. This is being purchased under NYS contract. Trustee Sinsabaugh moved to approve the purchase as presented. Trustee Havens seconded the motion, which carried unanimously.

**Projected CHIPS Roadwork:** Mayor Ayres stated there could be a potential cut in CHIPS funding, therefore, Jack Pond reduced the paving projects this year by 50%. Any funding left over will carry over to next year. He submitted the following paving projects, at a cost of $67,677, to include:

Chemung Street (Clark Street to Pine Street)

Cadwell Avenue (Clinton Avenue to Florence Street)

Cooper Street

Forest Street

Trustee Havens moved to approve the paving as presented. Trustee Sinsabaugh seconded the motion, which carried unanimously.

**Budget Amendments:** The clerk presented the following budget amendments. Trustee Havens moved to approve the following budget transfers as presented. Trustee Burlingame seconded the motion, which carried unanimously.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Revenues/Grants** | |  |  | **Expense Offset by Special Rev/Grants** | | |
| *A 510 Estimated Revenues* |  | *Credit* |  | *A 960 Estimated Appropriations* |  | *Debit* |
| A 3501 | CHIPS | 35,634 |  | A 5112.0200 | CHIPS | 35,634 |
| A 2260 | Public Safety | 16,700 |  | A 3120.0200 | Police Equip | 16,700 |
| A 9000 | App Fund Bal | 300,000 |  | A 9951.900 | Trans Cap Proj | 300,000 |
| A 2750 | AIM payment | 50,000 |  |  |  |  |
| A 3001 | St Aid AIM | -50,000 |  |  |  |  |
| **TOTAL** | **Revenue** | **352,334** |  | **TOTAL** | **Expenditures** | **352,334** |

**Interfund Transfers:** The clerk currently the adult swim program runs through the Trust & Agency Fund, however, there is an accumulated balance of $4,125.50. She recommended that this balance be transferred to the General Fund, and the swim program runs through the General Fund from now on. Trustee Sinsabaugh moved to approve transferring $4,125.50 and the adult swim program from Trust & Agency Fund to General Fund, as presented. Trustee Burlingame seconded the motion, which carried unanimously.

The clerk stated there is a line item, Miller Memorial, in the Trust & Agency Fund that has been there for over 30 years and she is unsure what it was intended for. She stated she talked with the previous clerk treasurer, and she was also unsure. The clerk requested the balance of $1,880 be transferred from the Trust & Agency Fund to the General Fund. Trustee Havens moved to approve the transfer as presented. Trustee Sweeney seconded the motion, which carried unanimously.

**Departmental Budget Review:** Mayor Ayres stated we are unsure what the financial future holds during and after the COVID-19 outbreak. He asked the Board to get with their departments to review their budgets. He is asking the Department Heads to be prudent with spending and to use extra caution. Trustee Sinsabaugh stated concern with possible decrease in sales tax revenue, and may want to reconsider hiring summer help this year.

**Adjournment**: Trustee Havens moved to adjourn at 7:45 p.m. Trustee Burlingame seconded the motion, which carried unanimously.

Respectfully submitted,

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Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, MAY 12, 2020 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres stated this meeting is being teleconferenced and recorded. He asked for a moment of silence for all of the Elderwood patients that passed and are dealing with the COVID-19 outbreak.

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Trustees Present: Andrew Aronstam, Jerry Sinsabaugh, Charles Havens, Steven Burlingame, Kevin Sweeney, and Mayor Patrick Ayres

Also present were Clerk Treasurer Michele Wood, and Attorney Betty Keene

**COVID-19 Update:** Mayor Ayres submitted a checklist for reopening strategies from Tioga County Health Department. The village has been functioning with a reduced staff and modified means since March. He stated the Clerk’s Office will be opening to the public on Monday following the set guidelines. All DPW were back to work a week ago, and they are also following guidelines.

**Letters and Communications:** The clerk read a letter from the Team at Elderwood, stating appreciation for our gesture and acknowledgment during the COVID-10 crisis.

The clerk read a Letter of Resignation from Police Sergeant David Preshur, Jr. stating he has decided to retire, effective July 2, 2020. Sgt. Preshur has been with the Village of Waverly Police Department June 1, 1976. The Board thanked him for his many years of service and wished him well.

**Approval of Minutes:** Trustee Sinsabaugh moved to approve the Minutes of April 28, 2020 as presented. Trustee Havens seconded the motion, which carried unanimously.

**Department Reports:** The clerk submitted a department report from Code Enforcement. Since there was no activity in the Recreation, she submitted their financial report only.

**Treasurer's Reports:** Clerk Treasurer Wood presented the following financial reports:

General Fund 4/1/20 – 4/30/20

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 330,161.59 | Current Revenues | 47,251.06 |
| Deposits | 279,022.59 | Year to Date Revenue | 2,930,285.20 |
| Disbursements | -475,020.09 | Current Expenditures | 154,926.45 |
| Ending Balance | 134,164.09 | Year to Date Expended | 3,022,556.54 |

\*General Capital Reserve Fund, $85,812.77

Cemetery Fund4/1/20 – 4/30/20

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 20,559.82 | Current Revenues | 7.81 |
| Deposits | 0.00 | Year to Date Revenue | 42,557.34 |
| Disbursements | -207.45 | Current Expenditures | 7,320.80 |
| Ending Balance | 20,352.37 | Year to Date Expended | 43,415.12 |

\*Perpetual Care Fund $33,678.49

Loan Programs 4/1/20 – 4/30/20

|  |  |  |  |
| --- | --- | --- | --- |
| Business Loans |  | Rehab Loans | Balances |
| Beginning Balance | 30,514.93 | Beginning Balance | 16,925.13 |
| Deposits | 408.79 | Deposits | 294.98 |
| Disbursements | -25000.00 | Disbursements | -10,000.00 |
| Ending Balance | 5,923.72 | Ending Balance | 7,220.11 |
| Money Market/Savings | 378,314.86 | MM/Savings Balance | 170,049.37 |
| Due from CP/Glen Park | 60,000.00 | Sidewalk Balance | 0.00 |
| Total Fund Balance | 444,238.58 | Total Available Balance | 177,269.48 |

*\*outstanding loans $14,073.12 \*outstanding loans $24,887.43*

Capital Projects Fund 4/1/20 – 4/30/20

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Storm Drain Project | Glen Park Project | WWTP Upgrade | Restore NY |
| Beginning Balance | 282,284.09 | -68,722.59 | 918,414.99 | 379.98 |
| Deposits/Debits | 0.00 | 156,309.17 | 0.00 | 0.00 |
| Disbursements/Credits | 0.00 | -39,382.48 | -50,971.07 | 0.00 |
| Ending Balance | 282,284.09 | 48,204.10 | 867,443.92 | 379.98 |

\*Total Capital Projects Fund Balance $1,131,976.49

**Finance Committee/Approval of Abstract:** Trustee Burlingame presented the following abstracts, and moved to approve all payments: General Fund Abstract $33,222.91, and Recreation Commission Fund Abstract $397.40. Trustee Sweeney seconded the motion, which carried unanimously.

**Capital Projects Abstract:** Trustee Sinsabaugh moved to approve the following expenditures be paid from the Capital Projects Fund. Trustee Sweeney seconded the motion, which carried unanimously.

|  |  |  |  |
| --- | --- | --- | --- |
| Vendor | Project | Invoice | Amount |
| Morning Times | Glen Park Project | Bid Notice 1/311/1 | $ 102.01 |
| Hunt Engineers | Storm Sewer Replace | 3 | 178.81 |
| Total |  |  | $ 280.82 |

**Glen Park Project:** Mayor Ayres stated they would like to use tankless fixtures in the restrooms at the Glen as tanks could get vandalized and broken. He submitted a change order request.

Change Order #2, Walsh & Sons Construction: The clerk submitted Change Order #2 in the amount of $1,875. This was to redesign restroom plumbing due to change in fixtures. Will be using tankless fixtures. Trustee Sweeney moved to approve Change Order #2 for Walsh & Sons Construction as presented. Trustee Burlingame seconded the motion, which carried unanimously.

Trustee Aronstam moved to rebid Phase 2 of the Glen Park Project with the following changes: remove Alternate 1 (no Basketball court), remove new signage and repurpose old signage, remove split-rail fencing. The new bid opening will be June 19th at 2:15 p.m. Mayor Ayres stated there was some discussion regarding contractor’s bonding, and he and Attorney Keene agreed that all contractors will need to be bonded upon submitting a bid.

**Curb Cut Application:** The clerk presented a curb cut application from Andrew Aronstam for the property located at 436 Park Avenue. The clerk stated Chief Gelatt and Street Operator Pond have reviewed and had offered no concerns. Trustee Sinsabaugh moved to approve the curb cut at 436 Park Avenue. Trustee Burlingame seconded the motion, which led to a roll call vote and resulted as follows:

Ayes – 5 (Sinsabaugh, Havens, Burlingame, Sweeney, Ayres)

Nays – 0

Abstained – 1 (Aronstam)

Vacancy – 1

The motion carried

The clerk presented a curb cut application from Josh Cassidy for the property located at 366 Broad Street. He would like to make a parking lot there, with the entrance from Broad Street and exit onto Depumpo Lane. The clerk stated Chief Gelatt had no concerns if the exit was onto Depumpo Lane. Street Operator Pond had several issues including a water hydrant, water lines, and sidewalks. Mayor Ayres recommended this be reviewed by the Planning Board. Trustee Aronstam moved to let Planning Board do a site plan review regarding curb cut. Trustee Havens seconded the motion, carried unanimously.

**Tax Rate Resolution:** Trustee Sinsabaugh offered the following resolution and moved its adoption:

WHEREAS, the Board of Trustees, finalized the annual budget for the fiscal year, commencing June 1, 2020 and ending May 31, 2021; and,

WHEREAS, the total of taxable property in said Village as shown on the current assessment roll has been determined to be $71,717,674; and,

WHEREAS, the Board of Trustees of the Village of Waverly, by resolution dated the same date appropriated the sum of $3,148,183; less estimated revenues of $1,002,886 or a balance of $2,145,297 to be raised by real estate taxes, said Board of Trustees hereby levies the following tax pursuant to the provisions of the Real Property Tax Law of the State of New York upon the taxable property of the Village of Waverly, to wit: upon all taxable property of the Village of Waverly; and,

BE IT RESOLVED, that the tax rate on account of said levy be set at the rate of $29.913 per each $1,000 of assessed valuation; and,

BE IT FURTHER RESOLVED, that the Village Clerk/Treasurer be directed to extend and carry out upon the tax roll of the Village of Waverly, the amount to be levied against the value of each parcel of real property owed thereon; and,

It further appearing that the Board of Water Commissioners of the Village of Waverly has filed with the Clerk of the Board of Trustees its certificate in writing, indicating certain unpaid water rents and penalties thereon, as of May 1, 2020 with the properties against which said unpaid water rents are charged.

NOW, THEREFORE, BE IT RESOLVED, that a total amount of such unpaid water rents in the amount of $15,321.84 be levied pursuant to the provision of the Village Law against said properties, as set forth, on said certificate, and in the amount set forth, and,

It further appearing that the Board of Sewer Commissioners of the Village of Waverly has filed with the Clerk, its certificate in writing, indicating certain unpaid sewer rents and penalties thereon, as of May 1, 2020 with the properties against which said unpaid sewer rents are charged.

NOW, THEREFORE, BE IT RESOLVED, that a total amount of such unpaid sewer rents in the amount of $11,150.62 be levied pursuant to the provision of the Village Law against said properties, as set forth on said certificate, and in the amount set forth, and,

It further appearing that the Board of Sewer Commissioners of the Village of Waverly has filed with the Clerk, its certificate in writing, indicating certain unpaid debt service charges (capital charges) and penalties thereon, as of May 1, 2020 with the properties against which said unpaid sewer rents are charged.

NOW, THEREFORE, BE IT RESOLVED, that a total amount of such unpaid debt service charges (capital charges) in the amount of $17,677.71 be levied pursuant to the provision of the Village Law against said properties, as set forth on said certificate, and in the amount set forth, and,

NOW, THEREFORE, BE IT RESOLVED, that a total amount of $910.00 of unpaid grass and weeds removal be levied pursuant to the provision of the Village Law against said properties, as set. Forth, on said certificate, and,

NOW, THEREFORE, BE IT RESOLVED, that a total amount of $175.00 of unpaid snow removal be levied pursuant to the provision of the Village Law against said properties, as set. Forth, on said certificate, and,

BE IT FURTHER RESOLVED, that the Village Clerk be directed to extend and carry out upon said tax roll of the Village of Waverly the amount so levied against the several parcels of real property:

Trustee Havens seconded the motion, which led to a roll call vote and resulted as follows:

Ayes – 6 (Aronstam, Sinsabaugh, Havens, Burlingame, Sweeney, Ayres)

Nays – 0

Vacancy – 1

The motion carried

**Phone System/Southern Tier Network:** Mayor Ayres stated the infrastructure is all in for our phone system/IT upgrade with the county. All village buildings will be connected by fiber optics (Village Hall, Wastewater Treatment Plant, DPW, and Water). We have a one-time fee of $15,000 to offset the costs, which was previously approved on July 24, 2019. Since this is complete, the phone system will be upgraded soon, and then the computer systems and other IT upgrades following that.

**COVID-19 Emergency Business Loans:**  Mayor Ayres submitted a proposed business loan program to help businesses during the COVID-19 shut down. These businesses are not allowed to open, however, they still have expenses, such as rent. He proposes to offer a micro-loan to get these businesses through. Discussion followed. Trustee Sweeney offered an Emergency Business Loan Program up to $2,400 with 24 month payback period, and at 0%. The applications will be reviewed by Loan Committee, and approved by the Board of Trustees. Trustee Sinsabaugh seconded the motion, which led to a roll call vote and resulted as follows:

Ayes – 6 (Aronstam, Sinsabaugh, Havens, Burlingame, Sweeney, Ayres)

Nays – 0

Vacancy – 1

The motion carried

**CDBG New Applicant Approval Request:** The clerk submitted an approval request for a project to be done on the 2018 CDBG. It is as follows:

* 2018-05 Total Cost - $ 61,000

work includes: siding, exterior carpentry, and roofing

Trustee Havens moved to authorize the above project as submitted. Trustee Burlingame seconded the motion, which carried unanimously.

**Mayor/Board Comments:** Trustee Sinsabaugh stated concern with shortfalls in revenues (sales tax, etc). He stated the county is projecting a 10% loss. He recommended we freeze spending and hiring. Mayor Ayres stated we usually hire summer help in the parks, streets, water, and sewer. We are not sure, at this point, that we can have a summer recreation program. If the program is cancelled, that will save the Village approximately $27,000. This would also give time to current employees to be able to get the work on the parks done. Mayor Ayres also recommends no hiring any summer help for parks, rec, and streets. He stated he will know more regarding the summer rec program at the next meeting.

**Adjournment**: Trustee Sweeney moved to adjourn at 7:40 p.m. Trustee Burlingame seconded the motion, which carried unanimously.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, MAY 26, 2020 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres stated this meeting is being teleconferenced and recorded.

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance. He asked for a moment of silence in observance of Memorial Day.

**Roll Call:** Trustees Present: Andrew Aronstam, Jerry Sinsabaugh, Steven Burlingame, Kevin Sweeney, and Mayor Patrick Ayres

Also present were Clerk Treasurer Michele Wood, Code Enforcement Officer Chris Robinson, and Attorney Betty Keene

**Approval of Minutes:** Trustee Burlingame moved to approve the Minutes of May 12, 2020 as presented. Trustee Sinsabaugh seconded the motion, which carried unanimously.

**Department Reports:** The clerk submitted a department report from the Police Department (April). Trustee Sinsabaugh, after discussion with Chief Gelatt, the oldest police car has 68,000 miles. Chief Gelatt recommended we keep the car and not purchase a new one this year, as long as there are no future issues with the cars. The Board agreed.

**Finance Committee/Approval of Abstract:** Trustee Burlingame presented the following abstracts, and moved to approve all payments: General Fund Abstract (May) $46,700.96 and (June) $17,333.48, and Cemetery Fund Abstract (May) $260.76 and (June) $6,600.00. Trustee Sweeney seconded the motion, which carried unanimously.

**Glen Park Project:** Mayor Ayres stated the bathrooms should be completed in June. Electrical work is being worked on currently. The construction is moving along. The Pre-bid meeting for the next phase is on Friday at the Glen.

**Summer Recreation Program:** Mayor Ayres stated he met with School Superintendent Eric Knolles, Recreation Director Shaw, Trustee Aronstam, and Tioga County. There is no indication that we will be able to hold the summer program this year. Phase 2 of the COVID-19 reopening strategy should begin on May 29th, and it involves gatherings and recreation. Mayor Ayres recommended deferring this topic until June for further direction and guidelines. He also stated that if we cannot hold the program, that maybe we could have targeted events. We are working with the school administration on this.

**Summer Help in Parks:**  Trustee Aronstam stated he met with Parks Director Shaw and submitted their mowing/trimming, and work routine broken out into hours. This year they will need to have extra time in cleaning and sanitizing the pavilions for rentals, therefore, would need help over the weekends. Trustee Aronstam stated Mr. Shaw did not ask for help, however, he and Mayor Ayres feels it is necessary. Trustee Aronstam proposed hiring two part-time helpers at 20 hours each per week, at minimum wage, for 13 weeks. He stated we have budgeted twice the hours. One helper will work throughout the weekend to clean the pavilions, so that there will be no overtime for the Parks Laborer. Trustee Aronstam moved to approve hiring two part-time helpers as presented. Trustee Sweeney seconded the motion, which led to a roll call vote and resulted as follows:

Ayes –3 (Aronstam, Sweeney, Ayres)

Nays – 2 (Sinsabaugh, Burlingame)

Vacancy – 1

The motion carried.

**COVID-19 Emergency Business Loan Applications:**  The clerk presented the following applications:

Terri Quinn, Cookie Cutters Hair Salon, in the amount of $2,400 with payback of 24 months. Trustee Burlingame moved to approve the loan as presented. Trustee Aronstam seconded the motion, which carried unanimously.

Stacy Whipple, Twisted Sizzors, in the amount of $2,400 with payback of 24 months. Trustee Sinsabaugh moved to approve the loan as presented. Trustee Burlingame seconded the motion, which carried unanimously.

Ronald Perry Jr., Waverly Fitness Center, in the amount of $2,400 with payback of 24 months. Trustee Aronstam moved to approve the loan as presented. Trustee Burlingame seconded the motion, which carried unanimously.

Ronald Perry Jr., Isshin-Ryu Martial Arts Studio, in the amount of $2,400 with payback of 24 months. Trustee Aronstam moved to approve the loan as presented. Trustee Sweeney seconded the motion, which carried unanimously.

**2019-2020 Budget Transfers:** Trustee Sinsabaugh moved to approve the following budget transfers as presented. Trustee Aronstam seconded the motion, which carried unanimously.

|  |  |  |  |
| --- | --- | --- | --- |
| **Line Item** | **Description** | **Transfer In:** | **Transfer Out:** |
| A 1110.0100 | court-full time |  | -500 |
| A 1110.0142 | court-part time |  | -3,200 |
| A 1110.0145 | court-sick | 1,241 |  |
| A 1110.0405 | court-telephone | 350 |  |
| A 1325.0100 | treasurer-full time | 800 |  |
| A 1325.0145 | treasurer-sick | 495 |  |
| A 1325.0400 | treasurer-contractual expense | 1,000 |  |
| A 1355.0142 | assessor-part time | 310 |  |
| A 1355.0400 | assessor-expense | 4,500 |  |
| A 1410.0100 | clerk-full time |  | -2,000 |
| A 1410.0144 | clerk spec comp | 150 |  |
| A 1410.0145 | clerk-sick | 1,032 |  |
| A 1410.0402 | clerk-expense | 1,000 |  |
| A 1420.0400 | law-expense |  | -1,000 |
| A 1620.0400 | bldg-contractual expense | 2,500 |  |
| A 1620.0402 | bldg electric |  | -3,000 |
| A 1620.0403 | bldg-repairs | 5,000 |  |
| A 1620.0405 | bldg telephone | 100 |  |
| A 1910.0400 | unallocated insurance | 4,389 |  |
| A 1930.0400 | judgement & claims |  | -2,000 |
| A 1989.0400 | misc-other GGS | 8,000 |  |
| A 1990.0400 | contingency |  | -65,565 |
| A 3120.0100 | police-full time |  | -48,000 |
| A 3120.0142 | police-part time |  | -15,000 |
| A 3120.0144 | police-spec comp | 150 |  |
| A 3120.0145 | police-sick | 30,000 |  |
| A 3120.0146 | police-overtime | 30,000 |  |
| A 3120.0148 | police-holiday |  |  |
| A 3120.0149 | police-vacation |  | -6,000 |
| A 3120.0401 | police-supplies | 2,000 |  |
| A 3120.0404 | police-car repairs |  |  |
| A 3120.0405 | police-telephone | 2,000 |  |
| A 3120.0406 | police-gasoline |  | -5,000 |
| A 3620.0142 | code-part time |  | -3,000 |
| A 3620.0400 | code-expense | 1,500 |  |
| A 5110.0100 | street-full time | 9,351 |  |
| A 5110.0142 | street-part time | 3,000 |  |
| A 5110.0144 | street-spec comp | 550 |  |
| A 5110.0145 | street-sick | 3,731 |  |
| A 5110.0146 | street-overtime |  | -2,000 |
| A 5110.0148 | street-holiday |  |  |
| A 5110.0149 | street-vacation |  |  |
| A 5110.0200 | street-equipment | 8,000 |  |
| A 5110.0403 | street-equip repair | 10,000 |  |
| A 5110.0406 | street-gasoline |  | -5,000 |
| A 5110.0407 | street-shop & traffic lights | 2,000 |  |
| A 5110-0411 | street-signs | 10,000 |  |
| A 5112.0200 | permanent improvement | 4,267 |  |
| A 7110.0100 | parks-full time |  | -5,500 |
| A 7110.0144 | parks-spec comp | 150 |  |
| A 7110.0145 | parks-sick | 7,837 |  |
| A 7110.0146 | parks-overtime |  | -1,000 |
| A 7110-0149 | parks-vacation | 56 |  |
| A 7110.0401 | parks-materials/supplies |  | -4,470 |
| A 7110.0404 | parks-equip repairs | 200 |  |
| A 7110.0409 | parks-heating gas | 200 |  |
| A 7310.0100 | rec-full time | 1,500 |  |
| A 7310.0142 | rec-part time |  | -3,000 |
| A 7310.0200 | rec-equipment | 5,000 |  |
| A 7310.0405 | rec-telephone | 50 |  |
| A 7550.0400 | celebrations | 500 |  |
| A 8560.0400 | shade trees | 60,000 |  |
| A 9010.0800 | employee retirement |  | -17,000 |
| A 9015.0800 | police retirement |  | -4,600 |
| A 9030.0800 | social security |  | -3,000 |
| A 9040.0800 | workmans comp ins |  | -12,000 |
| A 9060.0800 | health insurance |  | -6,574 |
| A 9901.0903 | trans to cemetery fund |  | -5,000 |

**2019-2020 Budget Transfers, Cemetery Fund:** Trustee Sweeney moved to approve the following

budget transfers as presented. Trustee Aronstam seconded the motion, which carried unanimously.

|  |  |  |  |
| --- | --- | --- | --- |
| **Account #** | **Description** | **Transfer In** | **Transfer Out** |
| C 8810.0142 | part time | 81 |  |
| C 8810.0400 | contractual exp |  | 4,181 |
| C 8810.0402 | contractual mowing | 4,100 |  |

**2019-2020 Budget Amendments, Cemetery Fund:** Trustee Sinsabaugh moved to approve the following

budget transfers as presented. Trustee Burlingame seconded the motion, which carried unanimously.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| C 510 - Appropriated Revenue |  |  |  | C 960 - Appropriated Expense |  |  |
| C.5031 | interfund transfer | 2,500.00 |  | C.8810-0402 | perpetual care exp | 2,500.00 |
|  |  |  |  |  |  |  |
| TOTAL |  | 2,500.00 |  | TOTAL |  | 2,500.00 |

**Executive Session:** Trustee Burlingame moved to enter executive session at 7:17 p.m. to discuss the Police Bargaining Agreement. Trustee Sweeney seconded the motion, which carried unanimously.

The Board adjourned executive session at 7:45 p.m., and met with Attorney Keene for advice.

Trustee Sweeney moved to enter regular session at 8:10 p.m. Trustee Sweeney seconded the motion, which carried unanimously.

Trustee Aronstam moved to approve the Tentative Police Bargaining Agreement with the Teamsters as presented. The agreement is from June 1, 2020 through May 31, 2023. Trustee Sinsabaugh

seconded the motion, which led to a roll call vote and resulted as follows:

Ayes –5 (Aronstam, Sinsabaugh, Burlingame, Sweeney, Ayres)

Nays – 0

Vacancy – 1

The motion carried.

**95 NYRPT, LLC:** Trustee Aronstam moved to authorize Mayor Ayres to sign settlement agreement with 95 NYRPT, LLC to reduce assessed value from $450,000 to $250,000 per recommendation from our property tax attorney. Trustee Burlingame seconded the motion, which led to a roll call vote and resulted as follows:

Ayes –5 (Aronstam, Sinsabaugh, Burlingame, Sweeney, Ayres)

Nays – 0

Vacancy – 1

The motion carried.

**Adjournment**: Trustee Sweeney moved to adjourn at 8:15 p.m. Trustee Burlingame seconded the motion, which carried unanimously.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Michele Wood, Clerk Treasurer

**SPECIAL MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 10:00 A.M.**

**ON THURSDAY, MAY 28, 2020 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres stated this meeting is being teleconferenced and recorded.

Mayor Ayres called the meeting to order at 10:00 a.m.

**Roll Call:** Trustees Present: Andrew Aronstam, Charles Havens, Kevin Sweeney, and Mayor Patrick Ayres

Also present was Clerk Treasurer Michele Wood

**Summer Help in Parks:** Trustee Aronstam stated the summer help in the parks is needed due to the extra compliance measures that we have to do under the COVID-19 regulations and the mowing/trimming. Trustee Aronstam moved to approve hiring Jalen McCarty and Gavin Stein for 20 hours (each) per week, at the minimum wage of 11:80 per hour, for 13 weeks, effective immediately. Trustee Sweeney seconded the motion, which led to a roll call vote and resulted as follows:

Ayes –4 (Aronstam, Havens, Sweeney, Ayres)

Nays – 0

Absent – 2 (Burlingame, Sinsabaugh)

Vacancy – 1

The motion carried.

**Adjournment**: Trustee Sweeney moved to adjourn at 10:12 a.m. Trustee Aronstam seconded the motion, which carried unanimously.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, JUNE 16, 2020 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Trustees Present: Andrew Aronstam, Jerry Sinsabaugh, Steven Burlingame, Kevin Sweeney, Charles Havens, and Mayor Patrick Ayres

Also present were Clerk Treasurer Michele Wood, Code Enforcement Officer Chris Robinson, and Attorney Betty Keene

Mayor Ayres stated this is the first meeting that is not being teleconferenced since the COVID-19 outbreak. He reminded everyone that face coverings and social distancing are still required. He stated that it village meetings are required to conduct essential business.

**Public Comments:** Ron Keene, 7 Elliott Street, stated he would like to see Glenwood Cemetery expanded as it is nearly filled to capacity. Mayor Ayres recommended he discuss with Trustee Sinsabaugh and come back with a plan, estimated costs, and recommendations.

**Letters and Correspondence:** The clerk read a letter from Jim Parks, Mission Chairman of the Valley United Presbyterian Church, requesting use of Muldoon Park on July 12, 2020 for the 10:15 service, as their fellowship hall is closed. Trustee Aronstam moved to approve the use of Muldoon Park, as presented, at no cost. Trustee Burlingame seconded the motion, which carried unanimously.

**Approval of Minutes:** Trustee Sinsabaugh moved to approve the Minutes of May 26, and May 28, 2020 as presented. Trustee Havens seconded the motion, which carried unanimously.

**Department Reports:** The clerk submitted a department report from Code Enforcement for March-May. Code Enforcement Officer Robinson discussed some current concerns, however, courts are closed at this time so things are slowing down a little.

Trustee Aronstam stated we are issuing violations for sidewalks, however, in many cases the village tree is causing the damage. He stated the average cost to replace one sidewalk block is $125 plus work to trim roots, and tree removal. He also stated perhaps we could reimburse homeowners a flat rate. The Board tabled the discussion for the next meeting.

**Glen Park Project Update:** Mayor Ayres stated the work is progressing and hope to be finished by the end of the month. He submitted a quote from Penelec, in the amount of $4,396.14, to install a new pole to relocate the electric service. Trustee Sinsabaugh moved to approve Penelec to install pole as presented. Trustee Burlingame seconded the motion, which carried unanimously.

**Finance Committee/Approval of Abstract:** Trustee Burlingame presented the following abstracts, and moved to approve all payments: General Fund Abstract (May) $51,707.38 and (June) $107,928.56; Cemetery Fund Abstract (May) $13.04; and Recreation Commission Abstract (May) $96.00. Trustee Havens seconded the motion, which carried unanimously.

**Capital Projects Abstract:** Trustee Havens moved to approve the following expenditures be paid from the Capital Projects Fund. Trustee Sinsabaugh seconded the motion, which carried unanimously.

|  |  |  |  |
| --- | --- | --- | --- |
| Vendor | Project | Invoice | Amount |
| Delta Engineers | Glen Park Project | 17 | $ 1,953.86 |
| Penelec (pole installation) | Glen Park Project | 90665622 | 4,396.14 |
| Total |  |  | $ 6,350.00 |

**Summer Recreation Program:** Mayor Ayres stated he met with School Superintendent Eric Knolles, Recreation Director Shaw, Trustee Aronstam, and Tioga County. He got a lot of information regarding guidelines for our summer program. Mr. Knolles offered Elm Street School as an alternative place to have the program. The school will provide food services, and will take care of the sanitation. The school has to do the food program regardless. In order to consider the program, we would need at least 40 kids to sign up for the program. Trustee Havens feels this is risky due to the virus. Mayor Ayres should have more information early next week.

**Summer Concert Series:** Mayor Ayres stated the Summer Concert Series is planned to begin on June 29th. Social distancing and face coverings are required. They will be held at Muldoon Park.

**Tree Removal:** Mayor Ayres stated Ernest Pozzi, Quality Tree Service, has finished all the tree work. He stated Mr. Pozzi did a great job and had no complaints from anyone. He stated there were some changes to the original bid, as one tree fell before it was cut, and a couple of later tree complaints came in and the work was determined to be necessary by our forester. The cost was increased by $3,600, making the final bill $26,550. Trustee Aronstam moved to approve payment of the claim as presented. Trustee Havens seconded the motion, which carried unanimously.

**Storm Drain Improvement Project:**  Mayor Ayres stated there was a box culvert at the NE corner of Clinton Avenue and Lincoln Street. The plan was to tie into that, however, the contractor found the culvert completely filled in and unusable. They will need to dig from Lincoln Street to Center Street to tie in there. This will come in with a change order with the cost to be the same per lineal foot as the rest of the work. Mayor Ayres stated we have put funds aside for the other alternates that we won’t be doing. Trustee Aronstam moved to approve the extra work as presented. Trustee Burlingame seconded the motion, which carried unanimously.

**Police Reform:**  Mayor Ayres stated that due to the recent nationwide events of police overuse of force, Governor Cuomo has directed an Executive Order to engage in the process of Civil Rights & Police Reform. There will be mandated training involved. This would have to be adopted by April 1, 2021 to be eligible for any state funding in the future. Trustee Sweeney supports our police department, as does the rest of the Board. Trustee Burlingame stated our police are very community-based and respected by most of the public.

**Village Tax Correction:** Trustee Aronstam moved to approve a property tax correction for 403 Chemung Street, owned by 95 NYRPT LLC/Allentown Properties, by lowering the assessed value from $450,000 to $250,000 as recommended by our property tax attorney. The current taxes are $13,460.85 and will be changed to $7,478.25, a reduction of $5,982.60. This is due to an assessment grievance settlement. The settlement was approved by the Board at their meeting on May 26, 2020. Trustee Havens seconded the motion, which led to a roll call vote, as follows:

Ayes – 6 (Havens, Sweeney, Sinsabaugh, Burlingame, Aronstam, Ayres)

Nays – 0

Vacant - 1

The motion carried.

**BAN for the Water Disbursement Improvement Project:** The clerk stated the Water Disbursement Improvement Project is moving forward with engineering and surveying. She recommended pursuing a Bond Anticipation Note (BAN) for $500,000 to pay for these costs. This will be rolled into the financing of this project. Trustee Havens moved to approve the BAN as presented. Trustee Aronstam seconded the motion, which carried unanimously.

**Approval of 2018 CDBG Abstract:** The clerk presented the abstract for Drawdown #5 in the amount of $20,643.20. Trustee Sinsabaugh moved to approve the bills as presented. Trustee Burlingame seconded the motion, which carried unanimously.

**Mayor/Board Comments:** Mayor Ayres thanked the VFW for putting up and taking down all the flags in observance of Memorial Day. Their efforts are truly appreciated.

**Next Meeting Date:** Mayor Ayres stated that since last week’s meeting was cancelled and rescheduled for tonight, he would like to cancel the meeting next week and reschedule that meeting for June 30th. The Board agreed.

**Executive Session:** Trustee Aronstam moved to enter Executive Session at 7:24 p.m. to discuss the work history of a specific employee. Trustee Havens seconded the motion, which carried unanimously.

Trustee Sinsabaugh moved to enter regular session at 7:40 p.m. Trustee Havens seconded the motion, which carried unanimously.

**Approval to Dispose of Police Vehicle:** Trustee Sinsabaugh moved to declare the following police car as a surplus vehicles, and dispose of it by auction with proceeds deposited to the General Fund.

2014 Ford Explorer 1FM5K8AR9EGA55505

Trustee Sweeney seconded the motion, which carried unanimously.

**Adjournment**: Trustee Sweeney moved to adjourn at 7:42 p.m. Trustee Havens seconded the motion, which carried unanimously.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, JUNE 30, 2020 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Trustees Present: Andrew Aronstam, Jerry Sinsabaugh, Steven Burlingame, Kevin Sweeney, Charles Havens, and Mayor Patrick Ayres

Also present were Clerk Treasurer Michele Wood, Code Enforcement Officer Chris Robinson, and Attorney Betty Keene

**Public Comments:** Ron Keene, 7 Elliott Street, stated the house on Clark Street that has been abandoned, and the Rafferty property are a disgrace to the Village and wants to know what and when the Village is going to do something about them.

Linda Vogel, 201 Broad Street, asked when the hydrant in front of her business will be replaced as it is affecting her insurance rates.

**Approval of Minutes:** Trustee Sinsabaugh moved to approve the Minutes of June 16, 2020 as presented. Trustee Havens seconded the motion, which carried unanimously.

**Finance Committee/Approval of Abstract:** Trustee Burlingame presented the following abstracts, and moved to approve all payments: General Fund Abstract (May) $2,424.48 and (June) $24,689.94; Cemetery Fund Abstract (June) $6,600.00; and Recreation Commission Abstract (June) $145.00. Trustee Sweeney seconded the motion, which carried unanimously.

**Capital Projects Abstract:** Trustee Havens moved to approve the following expenditures be paid from the Capital Projects Fund. Trustee Sinsabaugh seconded the motion, which carried unanimously.

|  |  |  |  |
| --- | --- | --- | --- |
| Vendor | Project | Invoice | Amount |
| Croft Lumber | Glen Park Project | Multiple | $ 2,359.79 |
|  |  |  |  |
| Total |  |  | $ 2,359.79 |

**Storm Drain Improvement Project Update:** Mayor Ayres stated Chicago Construction has been working on the Storm Drain Improvement Project and could be done by the end of the week. He stated they were able to tie into a drain on Lincoln Street.

**Promotion Request in Police Department:** Trustee Sinsabaugh stated Chief Gelatt recommended promoting Part-Time Police Officer Andrew Yeckinevich to Full Time Police Officer to fill the vacancy left by Sargent David Preshur, upon his retirement. Trustee Sinsabaugh moved to approve the promotion, effective July 3, 2020, with a contractual salary of an Uncertified Officer. Once Officer Yeckinevich completes his field training, his salary would increase contractually to Certified Officer. Trustee Sweeney seconded the motion, which led to a roll call vote, as follows:

Ayes – 6 (Havens, Sinsabaugh, Sweeney, Burlingame, Aronstam, Ayres)

Nays – 0

Vacant - 1

The motion carried.

Mayor Ayres and the Board thanked Sargent Preshur for his 43 years of service with the Waverly Police Department and wished him well in his retirement.

**Summer Concert Series:** Mayor Ayres stated the first concert at Muldoon Park was a success, people were social distancing and wearing face masks. It was a great night that was enjoyed by all.

**Summer Recreation Program:** Trustee Aronstam stated we have approval from Tioga County to have the summer program for up to 48 kids. There are many regulations that will be followed. The pool will be closed. The program will start on July 13th and go for 5 weeks.

He stated the football season may not be able to proceed, however, football skill may proceed with the same guidelines. The gyms cannot be used at this time. Cross Country can proceed.

**Summer Help in Recreation:** The Clerk submitted a request from Recreation Director Shaw to hire the following as seasonal part-time personnel for the five-week Summer Recreation Program:

Zoe Menning 28 hours/week 12.80/hour Director

Jonathon Ward 28 hours/week 12.30/hour Assistant Director

Chenelle Huddleston 28 hours/week 11.80/hour Counselor

Kristyn Johnson 28 hours/week 11.80/hour Counselor

Faith Svoboda 28 hours/week 11.80/hour Counselor

Sarah Uhl 28 hours/week 11.80/hour Counselor

Dylan Ward 28 hours/week 11.80/hour Counselor

Trustee Aronstam moved to approve hiring the seasonal part-time personnel, as requested. Trustee Sweeney seconded the motion, which carried unanimously.

**Amended Election Day Resolution:** Trustee Sinsabaugh offered the following resolution and moved its adoption:

WHEREAS, the Annual Election of the Village of Waverly be held in the Trustees’ Room in the Village Hall, at 32 Ithaca Street, Waverly, New York, between the hours of 12:00 o’clock noon and 9:00 o’clock in the afternoon of Tuesday, September 15, 2020, and

WHEREAS, the following be designated as Inspectors of Election: Joan Case, Laura Hoppe, Donna Casterline, and Nila Rumsey and be paid $150.00 each, and

WHEREAS, Joan Case be hereby appointed Chairman of the Board, and

WHEREAS, the Board of Trustees gives the Clerk-Treasurer the sole authority to replace any inspector who becomes unavailable prior to election, and

BE IT RESOLVED, the Village of Waverly will hold their General Election on Tuesday, September 15, 2020 for the purpose of electing three (3) Trustees, each for a term of two years.

The resolution was seconded by Trustee Havens and upon voice vote, unanimously carried.

**Village Tree/Sidewalk Damage:**  Mayor Ayres asked Trustee Aronstam to work with Code Officer Robinson and Clerk Treasurer Wood on a protocol to address sidewalk damage due to village trees.

**Glenwood Cemetery:**  Trustee Sinsabaugh stated he feels Glenwood Cemetery could be cleared out on top and more grave lots could be added. He stated there is also an area in front that could be utilized for additional lots.

**No Parking Signage Installation Update:** Mayor Ayres stated all the signage for the new No Parking legislation have been installed. Most residents are abiding by it. The Police are current issuing warning notices to offenders.

**Allocation of Additional Funds for the Glen Park Project:** Mayor Ayres stated, after the third bidding round, the bids for the second phase of the Glen Park Project have come in much higher than expected. He stated that the restrooms originally were going to be restored and then determined to be demolished and rebuilt added a lot of extra costs to the project. Phase Two was scaled back, however, the bids are high. He requested approval to allocate $200,000 from the Business Development Fund to cover the extra costs. He stated fundraising is continuing and we have applied for more local grants. Any funds not spent will be returned to the Business Development Fund. Discussion followed. Trustee Havens moved to approve the allocation of $200,000 as requested. Trustee Aronstam seconded the motion, which led to a roll call vote, as follows:

Ayes – 5 (Havens, Sweeney, Burlingame, Aronstam, Ayres)

Nays – 1 (Sinsabaugh)

Vacant - 1

The motion carried.

**Glen Park Project, Change Order:** The clerk submitted Change Order #1 for Wilcox Building Specialties in the amount of $970. This is to add urinal screen and powder coated steel toilet compartment, furnished and installed. Trustee Aronstam moved to approve Change Order #1 to Wilcox Building Specialties as presented. Trustee Havens seconded the motion, which carried unanimously.

**Glen Park Project, Award Phase 2:** The clerk submitted the bids for Phase 2. They were as follows:

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Contractor | Base Bid | Alt. 1 – restore tennis courts | Alt. 2 – amphitheater work | Alt. 3 – wooden footbridge | Alt.4 – repave middle drive | Bid Total |
| Procon Contracting | 484,000 | 11,000 | 14,000 | 6,200 | 23,000 | 538,200 |
| RB Robinson Contracting | 369,859 | 25,000 | 8,900 | 12,900 | 25,000 | 441,659 |
| Boland’s Excavating | 550,000 | 21,000 | 23,000 | 11,000 | 38,000 | 643,000 |

Mayor Ayres recommended Alternates 1 & 2 along with the base bid. He stated a private donation of $10,000 was received for the amphitheater work. Trustee Havens moved to approve the Base Bid, and Alternates 1 & 2 to RB Robinson Contracting for a total of 403,759. Trustee Aronstam seconded the motion, which led to a roll call vote, as follows:

Ayes – 6 (Havens, Sinsabaugh, Sweeney, Burlingame, Aronstam, Ayres)

Nays – 0

Vacant - 1

The motion carried.

**General Maintenance Issues at Village Hall:** Mayor Ayres stated there is some concerns with a couple areas at the Village Hall. The clerk submitted a site review report from Hunt Engineers. Mayor Ayres requested Trustee Aronstam and Trustee Sinsabaugh work with Clerk Treasurer Wood to review the issues outlined in the report and report back at the next meeting.

**CPA Auditing Services:** The clerk submitted engagement letters from Insero & Company for auditing services of the Village Government in the amount of $10,600, and one for the Justice Court in the amount of $1,350. Trustee Havens moved to engage Insero & Company for both the Village Government and the Justice Court audits, as presented. Trustee Sinsabaugh seconded the motion, which carried unanimously.

**Mayor/Board Comments:** Mayor Ayres stated the abandoned house on Clark Street is not property of the Land Bank. He agrees with Mr. Keene that the properties that he brought up earlier are problematic. Mayor Ayres stated that Code Enforcement is very active on getting things done. Code Enforcement Officer Robinson stated since the Courts are not in session, due to COVID-19, things have slowed down.

**Adjournment**: Trustee Sweeney moved to adjourn at 7:40 p.m. Trustee Havens seconded the motion, which carried unanimously.

Respectfully submitted,

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Michele Wood, Clerk Treasurer

**THE REGULAR MEETING FOR JULY 14, 2020 WAS CANCELLED.**

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, JULY 28, 2020 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Trustees Present: Charles Havens, Steven Burlingame, and Mayor Patrick Ayres.

(Trustee Andrew Aronstam joined via teleconference, due to mandated Covid-19 Quarantine for returning after being out of state)

Also present were Clerk Treasurer Michele Wood, and Attorney Betty Keene

**Public Comments:** Margaret Prinzi, 447 Chemung Street, stated concern with pot holes and uneven sidewalks. Trustee Havens will follow-up with DPW regarding pot holes at corner of Ball Street.

**Business on Sawyer Place:** Jennifer Seymour stated she is under contract to purchase the former Tot’s Learning Center on Sawyer Place. She would like to have a birthing center there. Zoning has come into questions on whether it would be allowed. Mayor Ayres referred her to the Planning Board and encouraged her to review the zoning codes.

**Fire Escape at 358 Broad Street:** John Franzese, Engineer, stated he is rebuilding the fire escape as part of the Restore NY Project at 358 Broad Street. As it is currently, the stairs come too close (within 3’) to the electrical panel and needs to be reconfigured. Code Enforcement Officer Robinson recommends maintaining the 3’ distance. This would cause the stairs to encroach upon village land. Discussion followed. Attorney Keene recommended a Use and Maintenance Agreement with property owner. They should have a better layout for the next meeting.

**Letters and Communications:** The clerk read a letter from Mary Sobel, Tioga County Open Door Mission, requesting a street closure each Friday beginning on July 17th and continuing throughout the month of August, between the hours of 8:30 a.m. to 10:00 p.m. This will include Park Avenue from Broad Street to Depumpo Lane. There will be live music and outdoor dining. Trustee Havens moved to approve the request as presented, contingent upon proof of insurance. Trustee Burlingame seconded the motion, which carried unanimously.

The clerk read a letter from Patricia Evans requesting permission to have monthly yard sales at 100 Route 17C. Code Officer Robinson stated that there were 17 cars parked along Route 17C last weekend, and parking is prohibited. Attorney Keene stated she would review the code.

**Approval of Minutes:** Trustee Burlingame moved to approve the Minutes of June 30, 2020 as presented. Trustee Havens seconded the motion, which carried unanimously.

**Department Reports:** The clerk submitted a department report from Code, Recreation, and Police.

**Treasurer's Reports:** Clerk Treasurer Wood presented the following financial reports:

General Fund 5/1/20 – 5/31/20

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 134,164.09 | Current Revenues | 140,311.35 |
| Deposits | 269,432.76 | Year to Date Revenue | 3,070,596.55 |
| Disbursements | -247,912.99 | Current Expenditures | 302,996.06 |
| Ending Balance | 155,683.86 | Year to Date Expended | 3,325,552.60 |

\*General Capital Reserve Fund, $85,827.34

General Fund 6/1/20 – 6/30/20

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 155,683.86 | Current Revenues | 2,155,743.52 |
| Deposits | 1,648,813.52 | Year to Date Revenue | 2,155,743.52 |
| Disbursements | -1,128,065.57 | Current Expenditures | 261,144.50 |
| Ending Balance | 676,431.81 | Year to Date Expended | 261,144.50 |

\*General Capital Reserve Fund, $85,841.44

Cemetery Fund 5/1/20 – 5/31/20

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 20,352.37 | Current Revenues | 8,558.08 |
| Deposits | 8,550.00 | Year to Date Revenue | 51,115.42 |
| Disbursements | -7,581.56 | Current Expenditures | 7,081.25 |
| Ending Balance | 21,320.81 | Year to Date Expended | 50,658.51 |

\*Perpetual Care Fund $33,678.49

Cemetery Fund 6/1/20 – 6/30/20

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 21,320.81 | Current Revenues | 3,307.82 |
| Deposits | 9,900.00 | Year to Date Revenue | 3,307.82 |
| Disbursements | -13,426.72 | Current Expenditures | 13,413.68 |
| Ending Balance | 17,794.09 | Year to Date Expended | 13,413.68 |

\*Perpetual Care Fund $33,678.49

Loan Programs 5/1/20 – 5/31/20

|  |  |  |  |
| --- | --- | --- | --- |
| Business Loans |  | Rehab Loans | Balances |
| Beginning Balance | 5,923.72 | Beginning Balance | 7,220.11 |
| Deposits | 50,576.43 | Deposits | 322.82 |
| Disbursements | -9,600.08 | Disbursements | 0.00 |
| Ending Balance | 46,900.07 | Ending Balance | 7,542.93 |
| Money Market/Savings | 328,378.02 | MM/Savings Balance | 170,078.25 |
| Due from CP/Glen Park | 60,000.00 |  |  |
| Total Fund Balance | 435,278.09 | Total Available Balance | 177,621.18 |

*\*outstanding loans $23,156.54 \*outstanding loans $24,530.54*

Loan Programs 6/1/20 – 6/30/20

|  |  |  |  |
| --- | --- | --- | --- |
| Business Loans |  | Rehab Loans | Balances |
| Beginning Balance | 46,900.07 | Beginning Balance | 7,542.93 |
| Deposits | 200,217.51 | Deposits | 242.27 |
| Disbursements | 0.00 | Disbursements | 0.00 |
| Ending Balance | 247,117.58 | Ending Balance | 7,785.20 |
| Money Market/Savings | 128,429.80 | MM/Savings Balance | 170,106.20 |
| Due from CP/Glen Park | 60,000.00 |  |  |
| Total Fund Balance | 435,547.38 | Total Available Balance | 177,891.40 |

*\*outstanding loans $22,973.19 \*outstanding loans $24,030.69*

Capital Projects Fund 5/1/20 – 5/31/20

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | Storm Drains | Glen Park | WWTP Upgrade | Water Project | Restore NY |
| Beginning Balance | 282,284.09 | 48,204.10 | 867,443.92 | 0.00 | 379.98 |
| Deposits/Debits | 0.00 | 126.00 | 0.00 | 0.00 | 0.00 |
| Disbursements/Credits | -178.81 | -102.01 | -17,158.91 | 0.00 | 0.00 |
| Ending Balance | 282,105.28 | 48,228.09 | 850,285.01 | 0.00 | 379.98 |

\*Total Capital Projects Fund Balance $1,180,618.38

Capital Projects Fund 6/1/20 – 6/30/20

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | Storm Drains | Glen Park | WWTP Upgrade | Water Project | Restore NY |
| Beginning Balance | 282,105.28 | 48,228.09 | 850,285.01 | 0.00 | 379.98 |
| Deposits/Debits | 0.00 | 0.00 | 0.00 | 75,000.00 | 0.00 |
| Disbursements/Credits | 0.00 | -6,350.00 | -595.25 | -60,325.60 | 0.00 |
| Ending Balance | 282,105.28 | 41,878.09 | 849,689.76 | 14,674.40 | 379.98 |

\*Total Capital Projects Fund Balance $1,188,347.53

**Finance Committee/Approval of Abstract:** Trustee Burlingame presented the following abstracts, and moved to approve all payments: General Fund Abstract (May) $7,721.01 and (June) $98,228.43; Cemetery Fund Abstract $6,610.43; and Recreation Commission Fund Abstract $394.30. Trustee Aronstam seconded the motion, which carried unanimously.

**Capital Projects Abstract:** Trustee Burlingame moved to approve the following expenditures be paid from the Capital Projects Fund. Trustee Havens seconded the motion, which carried unanimously.

|  |  |  |  |
| --- | --- | --- | --- |
| Vendor | Project | Invoice | Amount |
| Croft Lumber | Glen Park Project | Multiple | $ 363.22 |
| Wilcox Building Specialties | Glen Park Project | 2003801 | 3,570.00 |
| Austin Sand & Gravel | Glen Park Project | 3635 | 1,169.60 |
| Total |  |  | $ 5,102.82 |

**Summer Recreation Program:** Trustee Aronstam stated the program is going great between Waverly Recreation, the school, and Tioga County. There are 43 kids registered. The school has the food program with extra food to take home. The program also offers computer time, movies, outside games, and the pool is open. Tioga County is inspecting regularly. Nobody has been sent home due to raised temperature or sickness. The program is meeting all of its objectives. Trustee Aronstam also stated the summer concerts are a big hit and very successful.

**Sidewalk Block Reimbursement Program:** Trustee Aronstam stated resident’s sidewalks are being damaged due to village trees. He recommended the Village reimburse the property owner $100 for each sidewalk block that is damaged due to the natural growth of a village tree. This would be reimbursed when the sidewalk is replaced. Discussion followed. Trustee Aronstam would work with Code Enforcement Officer Robinson to come up with some guidelines.

**Land Bank Update:** Mayor Ayres stated all nine properties that were given to the Land Bank have either been sold or under contract. All are back on the village tax roll. He stated the benefit to the Village is that they are no longer blighted properties

**Glen Park Project:** Trustee Havens moved to approve the Notice to Proceed and the Contract for R. B. Robinson Contracting for the Glen Park Project, and authorize Mayor Ayres to sign. Trustee Aronstam seconded the motion, which carried unanimously.

The clerk read a letter from the Mildred Truman Faulkner Foundation stating that the Village of Waverly was awarded a grant in the amount of $20,000 for accessibility to the waterfall area and walkways. Trustee Burlingame moved to accept the grant and Mayor Ayres to sign. Trustee Havens seconded the motion, which carried unanimously.

**Municipal Solutions Contract for Bond Services:** The clerk submitted an amended contract from Municipal Solutions for financial services in relation to the Bond Anticipation Note Borrowing. Due to the 12-month extension of the borrowing for the WWTP Upgrade Project, their increase is $5,200. The original contract, dated August 23, 2016, is in the amount of $15,000 and was previously increased to $23,300. This will increase it to $28,500. Trustee Havens moved to approve the amended contract from Municipal Solutions, dated October 16, 2019, as presented and authorize Mayor Ayres to sign. Trustee Burlingame seconded the motion, which carried unanimously.

**Approval of 2018 CDBG Abstract:** The clerk presented the abstract for Drawdown #6 in the amount of $31,500. Trustee Sinsabaugh moved to approve the bills as presented. Trustee Burlingame seconded the motion, which carried unanimously.

**CDBG New Applicant Approval Request:** The clerk read a letter from a potential new applicant stating his taxes were not current, however, he will be paying them soon. He asked if he could still be eligible for the CDBG Program. Discussion followed. The consensus of the Board was that taxes needed to be made current and did not want to waive that. When the taxes are current, he could proceed with the program.

**Executive Session:** Trustee Burlingame moved to enter Executive Session at 7:34 p.m. to discuss potential candidates for employment. Trustee Havens seconded the motion, which carried unanimously.

Trustee Aronstam moved to enter regular session at 7:53 p.m. Trustee Havens seconded the motion, which carried unanimously.

**Full-Time Clerk Hire:** Trustee Havens moved to hire Courtney Allen as a Full-Time Clerk at a rate of $13.00 per hour, 40 hours per week, and with benefits according to the Village Policy. Her salary and benefits will be shared with the Water and Sewer Funds. She is on the certified Civil Service list, and will be available to start once she gives notice to her current employer. Her probationary period is 8 to 52 weeks. Trustee Burlingame seconded the motion, and duly put to a roll call vote, resulting as follows:

Ayes – 4 (Aronstam, Burlingame, Havens, Ayres)

Nays – 0

Absent – 2 (Sinsabaugh, Sweeney)

Vacancy - 1

The motion carried.

**Building at 330 Broad Street:** Robert Heirl stated he has purchased 330 Broad Street. There is a storage building behind the building that he thought was part of the sale. The realtor never disclosed that this building was built on village land. He has already started to rehab it to use it for dance props, before he knew that it wasn’t on his property. He said the deed of 1950 shows rights of the addition. He requested the village deed it over to him as it has been used as part of the building for 70 years. Attorney Keene stated she would review for the next meeting.

**Adjournment**: Trustee Havens moved to adjourn at 8:22 p.m. Trustee Burlingame seconded the motion, which carried unanimously.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, AUGUST 11, 2020 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Trustees Present: Charles Havens, Jerry Sinsabaugh, Andrew Aronstam, Kevin Sweeney, and Mayor Patrick Ayres

Also present were Clerk Treasurer Michele Wood, Code Enforcement Officer Chris Robinson, and Attorney Betty Keene

**Public Comments:** Linda Vogel, on behalf of the Rotary Club, stated the *Welcome to Waverly* sign at the end of Route 220 was recently hit by a truck and destroyed. An insurance claim was filed and they have a loss of $1,000. The Rotary is rethinking all signage and would like to meet with the Village to discuss the future of the signs and possibly better placement of them.

**Letters and Communications:** The clerk read a letter from Mike Davis, of the First Baptist Church, asking permission to hold a service at Muldoon Park on September 13, 2020 from 7:30 a.m. until 1 p.m. as they would like to have a band play in the gazebo. This is open to everyone that would like to come. Trustee Sweeney moved to approve the request as presented and waive rental charges due to it being a community event. Trustee Havens seconded the motion, which carried unanimously.

The clerk read a Letter of Resignation from (SRO) Police Officer Benjamin Hettinger stating he has decided to retire, effective August 20, 2020. Officer Hettinger has been working as the School Resource Officer. He stated his decision is due to the uncertainty of COVID-19 and what the school year will bring that he took another job without the weight of the badge. He thanked the village for all their support during his time year and has enjoyed the department. The Board accepted his resignation, thanked him for his years of service and wished him well.

**Fire Escape at 358 Broad Street:** John Franzese, Engineer, stated he reconfigured the new fire escape with input from Code Officer Robinson and submitted a drawing. With the new design it would encroach 21 inches upon village land. Discussion followed. Trustee Havens moved to grant a license to build a fire escape encroaching on village property as presented contingent upon a maintenance and use agreement and authorized Mayor Ayres to sign. Trustee Sinsabaugh seconded the motion, and duly put to a roll call vote, resulting as follows:

Ayes – 5 (Aronstam, Sweeney, Havens, Sinsabaugh, Ayres)

Nays – 0

Absent – 1 (Burlingame)

Vacancy - 1

The motion carried.

**Department Reports:** The clerk submitted a department report from Code Enforcement for July 2020. Code Officer Robinson stated there have been a lot of garbage complaints, however, courts are still on a semi-closed status. He has remedied a lot of those complaints.

**Finance Committee/Approval of Abstract:** Trustee Sinsabaugh presented the following abstracts, and moved to approve all payments: General Fund Abstract $53,216.28. Trustee Havens seconded the motion, which carried unanimously.

**Capital Projects Abstract:** Trustee Sinsabaugh moved to approve the following expenditures be paid from the Capital Projects Fund. Trustee Havens seconded the motion, which carried unanimously.

|  |  |  |  |
| --- | --- | --- | --- |
| Vendor | Project | Invoice | Amount |
| Delta Engineers | Glen Park Project | 18 | $ 1,020.80 |
| Chicago Construction Co. | Storm Sewer Replace | 2 Final | 202,150.00 |
| Total |  |  | $ 203,170.80 |

**Sidewalk Block Reimbursement Program:** Trustee Aronstam submitted a draft guidelines for the Sidewalk Block Reimbursement Program. The Board reviewed and discussed. Mayor Ayres stated the trees would be a separate issue and would need recommendation from our forester on an individual basis. This program would reimburse residents $100 per sidewalk block damaged by the natural growth of village trees, when they replace their sidewalk. This would be pre-inspected by Code Officer Robinson, reviewed, and Board approved. The clerk stated she would draft an actual application for the next meeting. Trustee Aronstam moved to approve the guidelines as drafted and presented. Trustee Havens seconded the motion, and duly put to a roll call vote, resulting as follows:

Ayes – 5 (Aronstam, Sweeney, Havens, Sinsabaugh, Ayres)

Nays – 0

Absent – 1 (Burlingame)

Vacancy - 1

The motion carried.

**General Maintenance of Village Hall:** Trustee Aronstam stated the Parks Department is working on removing weeds around Village Hall. They are also working on the east end of the building at the loading dock to scrape and repaint the metal edging.

**Proposed Glenwood Cemetery Expansion:** Ron Keene stated there are very few lots left at Glenwood Cemetery and they are selling quickly. He stated the area next to Section B could be developed easily. He also stated that area is already being mowed. He recommended expanding the area. Mayor Ayres asked Trustee Sinsabaugh to work with Mr. Keene to see what would need to be done and the costs associated with it. Trustee Sinsabaugh stated he would help. Mayor Ayres recommended they reach out to Hunt Engineers as they did the survey work up there before and should have the information.

**Storm Sewer Replacement Project:** Mayor Ayres stated he was very impressed with the contractor, and the work was done quickly with no issues. He also stated the work has been completed.

Change Order #1, Chicago Construction Co.: The clerk submitted Change Order #1 to deduct $68,200. This is due to the Board’s decision not to do Clinton Avenue from Waverly Street to Fulton Street. Trustee Aronstam moved to approve Change Order #1 for Chicago Construction Co. as presented. Trustee Havens seconded the motion, which carried unanimously.

Substantial Completion, Chicago Construction Co..:Trustee Aronstam moved to approve that substantial completion has been met by Chicago Construction Co. for the Storm Sewer Replacement Project as contracted. Trustee Havens seconded the motion, and duly put to a roll call vote, resulting as follows:

Ayes – 5 (Aronstam, Sweeney, Havens, Sinsabaugh, Ayres)

Nays – 0

Absent – 1 (Burlingame)

Vacancy - 1

The motion carried.

**Accessory Building behind 330 Broad Street:** Mayor Ayres received an estimate of $5,000 for the village to demo the accessory building behind 330 Board Street. The building is on village land, however, was not constructed by the village. It has been attached to 330 Broad Street for over 50 years. Robert Heirl, property owner, stated he would like to have the small piece of property and restore the building for their use. Attorney Keene stated the building was there prior to the Village acquiring the land. She stated there is value in restoring the small building and beautifying the area. Discussion followed. Trustee Havens moved to declare the property, approximately 12’ x 20’, as surplus property and is of no use to the village. Trustee Sweeney seconded the motion, which carried unanimously.

Trustee Havens moved to approve deeding the property over to the Hierl’s at no charge due to the demolition exceeding value of property and liability, and also their efforts in restoring the building values the area. Trustee Sweeney seconded the motion, and duly put to a roll call vote, resulting as follows:

Ayes – 5 (Aronstam, Sweeney, Havens, Sinsabaugh, Ayres)

Nays – 0

Absent – 1 (Burlingame)

Vacancy - 1

The motion carried.

Attorney Keene asked the Hierl’s to have their attorney draw up a quick claim deed for her review.

**Rummage/Garage Sales:** Mayor Ayres opened conversation in reference to Patricia Evans’ request to have open garage sales each month. Attorney Keene stated the code allows 2 sales per year. There is also concern with many cars parking along 17C which is prohibited. Discussion followed. The Board did not make special approval for Ms. Evans’ request and their consensus was to abide by the code. Mayor Ayres stated he would contact her.

**CDBG New Applicant Approval Request:** The clerk submitted an approval request for a project to be done on the 2018 CDBG. It is as follows:

* 2018-06 Total Cost - $ 30,000

work includes: roofing, windows, doors, heating, plumbing, electric, and exterior carpentry

Trustee Havens moved to authorize the above project as submitted. Trustee Sinsabaugh seconded the motion, which carried unanimously.

**NYS DOT 17C/RT34 Intersection Review:**  Mayor Ayres stated NYS DOT has reviewed the Intersection of 17C/RT 34 at Dandy Mini Market. Their findings were that left-turn only arrows at the east end of Dandy’s parking lot could help the intersection. Chief Gelatt also reviewed and agreed with their findings. Mayor Ayres will contact Dandy to get their thoughts.

**Clerk Position Update:** The clerk stated she made the offer to Courtney Allen for the Full-Time Clerk position, and she accepted. However, Ms. Allen called back a few days later and her current employer offered her a better position, so she declined our offer. Trustee Sinsabaugh stated concern that he thought we were in a hiring freeze and we should wait until June 2021, or later, before we look for anyone. The clerk stated we have been down a staff member in the office since December, and we are up against an imminent retirement and need to get someone trained.

**USDA Response to Water Project Funding:** The clerk stated that USDA had requested we reach out to banks to try to get commercial funding. Letters were sent and had two responses stating they could not offer a term of 34 years, and also had higher interest rates. USDA stated the responses weren’t good enough and that we would need to actually apply for funding and get denied. The clerk stated Municipal Solutions recommended we withdraw our application to USDA. Mayor Ayres stated he would like to reach out to our representatives first.

**Youth Recreation Programs:** Trustee Aronstam stated there will be flag football and cheerleading signups. Athens and Sayre are not having a recreation program and requested they be able to participate in ours. He stated there may be insurance liabilities and he will research. He will have more information for the next meeting.

**CHIPS Funding:** Trustee Havens stated there is approximately $77,000 left in CHIPS funding and DPW Lead Pond would like to pave Howard Street. Trustee Havens moved to approve paving Howard Street. Trustee Sweeney seconded the motion, which carried unanimously.

**Adjournment**: Trustee Havens moved to adjourn at 8:17 p.m. Trustee Aronstam seconded the motion, which carried unanimously.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, AUGUST 25, 2020 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Trustees Present: Charles Havens, Jerry Sinsabaugh, Steve Burlingame, Andrew Aronstam, Kevin Sweeney, and Mayor Patrick Ayres

Also present were Clerk Treasurer Michele Wood, Code Enforcement Officer Chris Robinson, and Attorney Betty Keene

**Public Comments:** There were no comments offered.

**Letters and Communications:** The clerk read an email from Bill Soprano, Insurance Agent, stating that changes in the tackle football program to flag football has been reviewed by the underwriter at NYMIR with no concerns. They also reviewed kids participating that are not residents of the village, and NYMIR was ok with the change with no additional costs to our insurance policy. They did recommend that parents sign a waiver holding the Village of Waverly harmless while they are participating.

The clerk read a letter from Christopher Brewster that due to his increasing workload and health concerns, he is resigning his duties to the Board of Recreation Commissioners effective immediately. Trustee Aronstam moved to accepted his resignation. Trustee Sweeney seconded the motion, which carried unanimously.

**Approval of Minutes:** Trustee Sinsabaugh moved to approve the Minutes of July 28, 2020 as presented. Trustee Burlingame seconded the motion, which carried unanimously.

**Department Reports:** The clerk submitted department reports from the Police Department for June and July 2020. The clerk also submitted a Treasurer’s Report for the Recreation Commission.

Trustee Sinsabaugh stated the school is dropping the SRO position due to reduction of State Aid.

The clerk read a letter from Chief Gelatt stating that as of August 20, 2020, Officer Yeckinevich has completed his mandated 160 hours of field training and is now a certified police officer. The clerk stated his salary will be increased as stated in their contract.

**Treasurer's Reports:** Clerk Treasurer Wood presented the following financial reports:

General Fund 7/1/20 – 7/31/20

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 676,431.81 | Current Revenues | 65,560.11 |
| Deposits | 321,927.83 | Year to Date Revenue | 2,221,303.63 |
| Disbursements | -806,389.08 | Current Expenditures | 266,882.87 |
| Ending Balance | 191,970.56 | Year to Date Expended | 528,027.37 |

\*General Capital Reserve Fund, $85,856.02

Cemetery Fund 7/1/20 – 7/31/20

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 17,794.09 | Current Revenues | 34,108.20 |
| Deposits | 41,600.12 | Year to Date Revenue | 37,416.02 |
| Disbursements | -20,294.11 | Current Expenditures | 6,824.11 |
| Ending Balance | 38,470.10 | Year to Date Expended | 20,237.79 |

\*Perpetual Care Fund $33,678.49

Loan Programs 7/1/20 – 7/31/20

|  |  |  |  |
| --- | --- | --- | --- |
| Business Loans |  | Rehab Loans | Balances |
| Beginning Balance | 247,117.58 | Beginning Balance | 7,785.20 |
| Deposits | 663.82 | Deposits | 227.89 |
| Disbursements | 0.00 | Disbursements | 0.00 |
| Ending Balance | 247,781.40 | Ending Balance | 8,013.09 |
| Money Market/Savings | 128,451.61 | MM/Savings Balance | 170,135.09 |
| Due from CP/Glen Park | 60,000.00 |  |  |
| Total Fund Balance | 426,233.01 | Total Available Balance | 178,148.18 |

*\*outstanding loans $22,406.49 \*outstanding loans $23,530.84*

Capital Projects Fund 7/1/20 – 7/31/20

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | Storm Drains | Glen Park | WWTP Upgrade | Water Project | Restore NY |
| Beginning Balance | 282,105.28 | 41,878.09 | 849,689.76 | 14,674.40 | 379.98 |
| Deposits/Debits | 50.00 | 348.00 | 0.00 | 500,000.00 | 0.00 |
| Disbursements/Credits | 0.00 | -7,462.61 | -9,442.75 | 0.00 | 0.00 |
| Ending Balance | 282,155.28 | 34,763.48 | 840,247.01 | 514,674.40 | 379.98 |

\*Total Capital Projects Fund Balance $1,671,840.17

**Finance Committee/Approval of Abstract:** Trustee Burlingame presented the following abstracts, and moved to approve all payments: General Fund $40,973.79; Cemetery Fund $6,612.67; and Unemployment $312.44. Trustee Sweeney seconded the motion, which carried unanimously.

**Capital Projects Abstract:** Trustee Havens moved to approve the following expenditures be paid from the Capital Projects Fund. Trustee Sweeney seconded the motion, which carried unanimously.

|  |  |  |  |
| --- | --- | --- | --- |
| Vendor | Project | Invoice | Amount |
| Wilcox Building Specialties | Glen Park Project | 2003802 | $ 970.00 |
| Tioga State Bank/Teaoga Dev | Restore NY | Draw 3 | 316,405.35 |
| Total |  |  | $ 317,375.35 |

**Sidewalk Block Reimbursement Program:** The clerk submitted a draft application for the Sidewalk Block Reimbursement Program based on the protocol that was previously discussed. Trustee Sweeney moved to approve the use of the form. Trustee Burlingame seconded the motion, which carried unanimously.

**Proposed Glenwood Cemetery Expansion:** Ron Keene stated he reached out to Hunt Engineers and met with Gary Thompson at Glenwood Cemetery. They discussed what would be most feasible to expand. Hunt Engineers proposed a lump sum of $1,600 to survey, set pins, and provide a map of the layout. Trustee Sinsabaugh moved to expand Section B of Glenwood Cemetery and to approve Hunt Engineers to do the survey and layout at a cost of $1,600 as presented. Trustee Sweeney seconded the motion, which carried unanimously.

**General Maintenance of Village Hall:** Trustee Aronstam stated he will review possible options for the wing or how to preserve it.

**USDA Response to Water Project Funding:** Mayor Ayres stated he contacted Tom Reed’s office and was given contact information for USDA.

**NYS DOT 17C/RT34 Intersection Review:**  Mayor Ayres stated he reached out to Dandy and should have more information at the next meeting.

**Youth Recreation Programs:** Trustee Aronstam stated he met with Coach Miller and they are unsure what will happen with varsity football at this point. If they are unable to play, they may want to play under recreation as no-contact football only for this season. This would also need to be approved by New York State. That will be discussed once they know what they are going to do.

Trustee Aronstam recommended allowing outside kids to participate in our flag football program, and charge them 50% more to register. They would only be accepted if there is room. There would be no Waverly kids turned away due to outside participation. All registrants will sign a waiver to hold the village harmless, and all will have to comply with all COVID-19 safety regulations. Trustee Aronstam moved to allow outside youth participation as presented. Trustee Sweeney seconded the motion, which carried unanimously.

**Approval of 2018 CDBG Abstract:** The clerk presented the abstract for Drawdown #7 in the amount of $10,008.27. Trustee Sinsabaugh moved to approve the bills as presented. Trustee Havens seconded the motion, which carried unanimously.

**Tree Request:** The clerk read a letter from Patrick Roney, 71 Pine Street, requesting permission to remove a village tree in front of his house. The tree has damaged three sidewalk blocks and he will be replacing the sidewalk. It is also a Crab Apple Tree and the apples fall and rot causing the sidewalk to be slippery. He stated he would remove the tree and stump at his own expense. Mayor Ayres disclosed that Mr. Roney is a Village of Waverly employee. He also stated we have granted permission to residents in the past. Trustee Havens moved to grant permission as requested. Trustee Sweeney seconded the motion, which carried unanimously.

**Executive Session:** Trustee Havens moved to enter Executive Session at 7:12 p.m. to discuss personnel/labor management issues. Trustee Sweeney seconded the motion, which carried unanimously.

Trustee Aronstam moved to enter regular session at 7:34 p.m. Trustee Havens seconded the motion, which carried unanimously.

**Adjournment**: Trustee Aronstam moved to adjourn at 7:35 p.m. Trustee Sweeney seconded the motion, which carried unanimously.

Respectfully submitted,

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Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, SEPTEMBER 8, 2020 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Trustees Present: Charles Havens, Jerry Sinsabaugh, Steve Burlingame, Andrew Aronstam, and Mayor Patrick Ayres

Also present were Clerk Treasurer Michele Wood, Code Enforcement Officer Chris Robinson, and Attorney Betty Keene

**Presentation:** Andrew Aronstam presented Mayor Ayres a check for $5,000 from the Waverly Recreation Booster Club to be donated to the Glen Park Project.

**Public Comments:** Ron Keene, 7 Elliott Street, stated there are a lot of intersections that have overgrowth of bushes, making visibility bad. Also, the fence at Becky’s is making the intersection dangerous with traffic going east as they are unable to see traffic coming north up the hill.

**Approval of Minutes:** Trustee Sinsabaugh moved to approve the Minutes of August 11, and August 25, 2020 as presented. Trustee Aronstam seconded the motion, which carried unanimously.

**Department Reports:** The clerk submitted a department report from Code Enforcement for August 2020. Mayor Ayres stated there are significant improvements on Fulton Street, and many throughout the Village. He also stated there have been a lot of new sidewalks going in.

**Treasurer's Reports:** Clerk Treasurer Wood presented the following financial reports:

General Fund 8/1/20 – 8/31/20

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 191,970.56 | Current Revenues | 53,034.33 |
| Deposits | 89,406.78 | Year to Date Revenue | 2,274,337.96 |
| Disbursements | -185,963.73 | Current Expenditures | 200,313.28 |
| Ending Balance | 95,413.61 | Year to Date Expended | 728,340.65 |

\*General Capital Reserve Fund, $85,870.60

Cemetery Fund 8/1/20 – 8/31/20

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 38,470.10 | Current Revenues | 5,009.82 |
| Deposits | 5,001.74 | Year to Date Revenue | 42,425.84 |
| Disbursements | -6,813.68 | Current Expenditures | 6,826.35 |
| Ending Balance | 36,658.16 | Year to Date Expended | 27,064.14 |

\*Perpetual Care Fund $33,678.49

Loan Programs 8/1/20 – 8/31/20

|  |  |  |  |
| --- | --- | --- | --- |
| Business Loans |  | Rehab Loans | Balances |
| Beginning Balance | 247,781.40 | Beginning Balance | 8,013.09 |
| Deposits | 440.71 | Deposits | 148.95 |
| Disbursements | 0.00 | Disbursements | 0.00 |
| Ending Balance | 248,222.11 | Ending Balance | 8,162.04 |
| Money Market/Savings | 128,473.42 | MM/Savings Balance | 170,163.98 |
| Due from CP/Glen Park | 60,000.00 |  | 0.00 |
| Total Fund Balance | 436,695.53 | Total Available Balance | 178,326.02 |

*\*outstanding loans $22,035.94 \*outstanding loans $23,099.04*

Capital Projects Fund 8/1/20 – 8/31/20

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | Storm Drains | Glen Park | WWTP Upgrade | Water Project | Restore NY |
| Beginning Balance | 282,155.28 | 34,763.48 | 840,247.01 | 514,674.40 | 379.98 |
| Deposits/Debits | 0.00 | 21,020.80 | 0.00 | 0.00 | 0.00 |
| Disbursements/Credits | -202,150.00 | -3,011.60 | -202.50 | -207,530.30 | 0.00 |
| Ending Balance | 80,005.28 | 52,772.68 | 840,044.51 | 307,144.10 | 379.98 |

\*Total Capital Projects Fund Balance $1,279,966.57

**Finance Committee/Approval of Abstract:** Trustee Burlingame presented the following abstracts, and moved to approve all payments: General Fund $130,945.83. He stated that $117,562.50 was for the upcoming bond payment. Trustee Aronstam seconded the motion, which carried unanimously.

**Glen Park Project Update:** Mayor Ayres stated there was a pre-construction meeting. The tentative completion date is November 2020. He stated Code Officer Robinson is the contact person for the project as he is here daily.

**Proposed Glenwood Cemetery Expansion:** Ron Keene stated he met with Gary Thompson, of Hunt Engineers, and he showed him preliminary drawings. This will add 180 graves. He stated the project is going well. He stated Mr. Thompson was so impressed with the cemetery that he will be purchasing a lot for himself. He also stated concern with DPW dumping grindings up there, and that it could change the land and water flow. He stated concern that it is looking like a dumping ground. Mayor Ayres asked Trustee Havens if he would discuss with DPW.

**NYS DOT 17C/RT34 Intersection Review:**  Mayor Ayres stated he reached out to Duane Phillips, with Dandy, and they are not interested with installing arrows. He stated this was all discussed at the time of the construction.

**Youth Recreation Programs:** Trustee Aronstam stated he met with the school, and they are not interested in expanding their activities into our Recreation Programs at this time.

**Approval of 2018 CDBG Abstract:** The clerk presented the abstract for Drawdown #8 in the amount of $23,345.00. Trustee Havens moved to approve the bills as presented. Trustee Sinsabaugh seconded the motion, which carried unanimously.

**Sidewalk Block Reimbursement Program:** The clerk submitted an application from Pat Roney, 71 Pine Street, for reimbursement of three (3) sidewalk blocks. The pre-inspection has been done by Code Enforcement. Mr. Roney is an employee of the Village of Waverly. The Board determined that there is no conflict of interest. Trustee Sinsabaugh moved that no conflict of interest exists and approved reimbursement of $300 as set forth by the program. Trustee Burlingame seconded the motion, which carried unanimously.

**Review Revenues/Budget (June 1 – August 31):** The clerk submitted a year-to-date comparison between June 1st to August 31st for 2019 and 2020. The revenue in court fines was down as the courts were closed. The clerk stated the interest rates went up in June 2019, however, they dropped in March 2020. There we no other significant shortfalls in revenues. The sales tax revenue was up approximately $3,500 than in 2019. The Board also reviewed the budget and determined we were in good shape.

**Mayor/Board Comments:** Mayor Ayres thanked Trustee Steve Burlingame for his service on the Board and appreciated him holding over the extra six months through the election that was postponed due to COVID-19. The rest of the Board also thanked him for his service to the Village of Waverly.

**Attorney/Client Consultation:** Trustee Havens moved to exit Regular Session at 7:16 p.m. to consult with Attorney. Trustee Sinsabaugh seconded the motion, which carried unanimously.

Trustee Aronstam moved to enter Regular Session at 7:48 p.m. Trustee Havens seconded the motion, which carried unanimously.

**Adjournment**: Trustee Aronstam moved to adjourn at 7:49 p.m. Trustee Sinsabaugh seconded the motion, which carried unanimously.

Respectfully submitted,

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Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, SEPTEMBER 22, 2020 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Trustees Present: Charles Havens, Jerry Sinsabaugh, and Mayor Patrick Ayres

Trustees-Elect: Kyle Burns, and Keith Correll

Also present were Clerk Treasurer Michele Wood, Code Enforcement Officer Chris Robinson, and Attorney Betty Keene

**Appointment to Vacancy:** Mayor Ayres appointed Andrew Aronstam as Trustee to fill the vacancy left by Keith Engelbert.

**Oaths of Office:** Kyle Burns, Keith Correll, and Andrew Aronstam took their Oaths of Office and was sworn in by Clerk Treasurer Wood. Mayor Ayres welcomed them to the Board.

**Public Comments:** Margaret Prinzi, 447 Chemung Street, stated there is a stray cat problem and is concerned that kids are going to get scratched. Mayor Ayres stated he would look to see if there are any programs available.

Rob Spence, 173 Center Street, stated he received a letter from Code Enforcement regarding the condition of his sidewalk that is on Lincoln Street (back yard). He asked permission to remove the sidewalk as it is not connected to another. Mayor Ayres stated he would like to review with Code Enforcement before making any decisions.

**Letters and Correspondence:** The clerk read a Letter of Resignation from Police Officer Thomas Woodburn, stating that he will be leaving his part time position, effective September 18, 2020, as he is taking a new job outside of Police and will have little time to fill shifts. Trustee Sinsabaugh moved to accept his resignation. Trustee Havens seconded the motion, which carried unanimously.

**Department Reports:** The clerk submitted a department report from the Police Department for August.

**Finance Committee/Approval of Abstract:** Trustee Sinsabaugh presented the following abstracts, and moved to approve all payments: General Fund $45,891.90; Cemetery Fund $7,112.96; and Unemployment $2.81. Trustee Havens seconded the motion, which carried unanimously.

**Trees in Factoryville Cemetery:** The clerk stated that there are 4 trees in Factoryville Cemetery that have been determined to be dead, and was put on the new list to take down. Due to recent wind, one of those trees lost a branch that went through a shed. An insurance claim has been filed. The clerk stated NYMIR recommends these trees be taken down. Trustee Sinsabaugh moved to declare this as an emergency and take these trees down. Trustee Havens seconded the motion, which carried unanimously.

**Proposed Glenwood Cemetery Expansion:** Ron Keene stated they are putting the pins in and we should have the final drawings soon. He also stated that pins would be installed at each corner of the grave with a number imprinted on the pin. This should help with future burials.

**Expansion of Parking Area in Glenwood Cemetery:**  Trustee Havens stated he met with DPW and they are putting millings down and rolling to make a base to allow for parking. They did remove any debris that was there. He stated the area does look pretty nice.

**Village Hall Maintenance Committee/New Appointment:** Mayor Ayres asked Trustee Correll to work with Trustees Aronstam and Sinsabaugh and Clerk Treasurer Wood to look at the maintenance of Village Hall. He would like them to come up with a plan to at least weatherproof the wing.

**USDA Rural Development Application:** The clerk stated we have filed an application with USDA Rural Development for funding for our Water Project. USDA stated we are financially eligible for commercial financing. The clerk stated that we would need to actually apply for funding through at least two commercial banks, and get denied, before USDA would proceed with our application. There are costs associated with applying for financing. Discussion followed. Trustee Havens moved to withdraw our application for water system improvements. Trustee Sinsabaugh seconded the motion, which carried unanimously.

**Draft Comprehensive Plan:** Mayor Ayres stated the Planning Board will have a Public Hearing on the Draft Comprehensive Plan on October 6th. He urged the Trustees to review it.

**Curb Cut Application-359 Broad Street:** Mayor Ayres stated this application came to us back in May, however, he felt this should be reviewed as a site plan by the Planning Board also. The Planning Board approved the site plan with some contingencies. Chief Gelatt and DPW also reviewed it and had no concerns. Discussion followed. Trustee Burns moved to approve the curb cut for 359 Broad Street as presented. Trustee Havens seconded the motion, which carried unanimously.

**Appointment to the Board of Recreation Commissioners:** Mayor Ayres appointed Ryan Skovira to the Board of Recreation Commissioners to fill the vacancy left by Chris Brewster.

**Approval of 2018 CDBG Abstract:** The clerk presented the abstract for Drawdown #9 in the amount of $7,700. Trustee Sinsabaugh moved to approve the bills as presented. Trustee Correll seconded the motion, which carried unanimously.

**CDBG New Applicant Approval Request:** The clerk submitted approval requests for projects to be done on the 2018 CDBG. They are as follows:

* 2018-07 Total Cost - $ 31,240

work includes: windows, doors, exterior carpentry, and roofing

Trustee Havens moved to authorize the above project as submitted. Trustee Aronstam seconded the motion, which carried unanimously.

* 2018-08 Total Cost - $ 35,800

work includes: windows, doors, flooring, siding, electric, heating, interior and exterior carpentry, and roofing

Trustee Aronstam moved to authorize the above project as submitted. Trustee Havens seconded the motion, which carried unanimously.

**Sidewalk Replacement Program Application:** The clerk presented application SP15-11, and stated the application was reviewed and determined eligible. This will replace 70’ of public sidewalk. Due to the estimates given, the program would cover a total of $1,000 and the homeowner would be responsible for the balance. Trustee Havens moved to approve application SP15-11 as presented, and to approve the reimbursement, per the program guidelines, of $1,000 when complete. Trustee Correll seconded the motion, which carried unanimously.

The clerk presented application SP15-12, and stated the application was reviewed and determined eligible. This will replace 48’ of public sidewalk. Due to the estimates given, the program would cover a total of $1,000 and the homeowner would be responsible for the balance. Trustee Sinsabaugh moved to approve application SP15-12 as presented, and to approve the reimbursement, per the program guidelines, of $1,000 when complete. Trustee Havens seconded the motion, which carried unanimously.

**Rehab Loan Application:**  The clerk presented a rehab loan application, numbered SC100, in the amount of $600. The clerk stated they are replacing their sidewalk and were approved through the Sidewalk Replacement Program (SP15-12), and this loan will be used to pay the balance. Trustee Cornell moved to approve the rehab loan in the amount of $600, with 1% interest, and a term of 1 year. The applicant must sign a Promissory Note. Trustee Burns seconded the motion, which carried unanimously.

**Rental House/Board of Water Commissioners:** The clerk stated the Board of Water Commissioners recommended the rental house, on West Pine Street, be demolished as its condition has deteriorated. They felt it would be in the Village’s best interest to tear down rather than rehab it as costs would be high. Attorney Keene stated that selling it wouldn’t be a good option either as we would lose acreage along the reservoir. Attorney Keene also stated the village should not be in the business of renting.

Trustee Aronstam moved to declare the residential house on West Pine Street be declared as surplus property and to be disposed of in a manner forthcoming. Trustee Havens seconded the motion, which carried unanimously.

**Clerk Position Update:** The clerk stated there are limited people taking the Civil Service Exam. She asked permission to advertise for the position and directing interested candidates to take the exam. Trustee Sinsabaugh stated he felt the Board should hold on hiring anyone until, at least, June 2021. Discussion followed. Mayor Ayres tabled discussion and recommended the trustees come in the office and discuss with the staff what their concerns are.

**Reorganization Meeting:** Trustee Sinsabaugh moved to schedule the Reorganization Meeting on October 13th at 6:30 p.m. (before the regular meeting). Trustee Havens seconded the motion, which carried unanimously.

**Mayor/Board Comments:** Mayor Ayres stated Governor Cuomo is allowing Trick or Treat and he will get guidance from Tioga County.

Mayor Ayres stated Trustee Sweeney is quarantined until October 1, 2020 due to being out of state. He will take his Oath of Office when he returns.

**Adjournment**: Trustee Sinsabaugh moved to adjourn at 7:49 p.m. Trustee Havens seconded the motion, which carried unanimously.

Respectfully submitted,

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Michele Wood, Clerk Treasurer

**REORGANIZATION MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M. ON TUESDAY,**

**OCTOBER 13, 2020 IN THE TRUSTEES’ ROOM, IN THE VILLAGE HALL**

**Call to Order:** Mayor Ayres called the meeting to order at 6:00 p.m.

**Roll Call:** Trustees Present: Kevin Sweeney, Charles Havens, Jerry Sinsabaugh, Kyle Burns, Keith Correll, Andrew Aronstam, and Mayor Patrick Ayres

Also present were Clerk Treasurer Michele Wood, Code Officer Chris Robinson, Tioga County Legislator Dennis Mullen, and Attorney Betty Keene

**Mayor’s Appointments:** The following appointments were made by Mayor Ayres. Trustee Sweeney moved to approve the appointments as presented. Trustee Havens seconded the motion, which carried unanimously.

|  |  |  |
| --- | --- | --- |
| **Name** | **Appointment** | **Term** |
| Kerri Hazen | Deputy Clerk Treasurer | 1 year |
| Betty J. Keene | Village Attorney | 1 year |
| Andrew Aronstam | Deputy Mayor | 1 year |
| Chris Robinson | Code Enforcement | 1 year |
| Eric Reznicek | Water Board Commissioner | 5 years |
| Lynette Nickels | Justice Court Clerk | 1 year |
| David Boland | Acting Justice | 1 year |
| Matt Jilson | Sewer Board Commissioner | 5 years |
| Rawley Filbin | Planning Board | 5 years |
| Jim Birney | Recreation Commission | 5 years |
| Richard Lewis | Zoning Board of Appeals | 5 years |
| Ronald Keene | Cemetery Coordinator | 1 year |
| Teresa Fravel  Margaret Prinzi  Tom McLean  James Melka (per diem) | Crossing Guards | 1 year |
| The Morning Times | Official Publication | 1 year |
| Chemung Canal Trust  Chase Bank | Official Depositories | 1 year |
| Regular Meeting | 2nd Tuesday @ 6:30 p.m. | 1 year |

Check Signature Resolution: Trustee Sinsabaugh offered the following resolution and moved its adoption:

RESOLVED, that checks drawn on the Village Funds be payable on signatures of two out of the four of the following persons: Clerk Treasurer Michele Wood, Deputy Clerk Treasurer Kerri Hazen, Mayor Patrick Ayres, and Deputy Mayor Andrew Aronstam. Trustee Burns seconded the motion, which carried unanimously.

**Committee Appointments:**

|  |  |  |  |
| --- | --- | --- | --- |
| Police | Sinsabaugh |  |  |
| Street | Havens |  |  |
| Buildings and Grounds | Aronstam | Sinsabaugh | Correll |
| Recreation | Aronstam |  |  |
| Sewer | Sweeney |  |  |
| Water | Correll |  |  |
| Planning | Burns |  |  |
| Cemetery | Sinsabaugh |  |  |
| Tioga County (COG) | Ayres |  |  |
| Finance | Sinsabaugh | Burns | Correll |
| Merchants | Burns |  |  |
| Town of Barton (2 per year) | Sinsabaugh  Sweeney | Burns  Havens | Aronstam  Correll |

The Town of Barton Meetings are held on the 2nd Monday of the Month at 6:30 p.m. at the

Town of Barton Hall.

**Adjournment**: Trustee Sweeney moved to adjourn at 6:38 p.m. Trustee Havens seconded the motion, which carried unanimously.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:40 P.M.**

**ON TUESDAY, OCTOBER 13, 2020 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

**Call to Order:** Mayor Ayres called the meeting to order at 6:40 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Trustees Present: Kevin Sweeney, Charles Havens, Jerry Sinsabaugh, Kyle Burns, Keith Correll, Andrew Aronstam, and Mayor Patrick Ayres

Also present were Clerk Treasurer Michele Wood, Code Officer Chris Robinson, Tioga County Legislator Dennis Mullen, and Attorney Betty Keene

**Public Comments:** No comments were offered.

**Letters and Correspondence:** The clerk read a Letter of Resignation from Police Officer Brittany Miller, stating that she will be leaving her part time position, effective immediately, as she has accepted a full time employment position elsewhere. She thanked the Village for their support. Trustee Sinsabaugh moved to accept her resignation. Trustee Burns seconded the motion, which carried unanimously.

**Approval of Minutes:** Trustee Sinsabaugh moved to approve the Minutes of September 22, 2020 as presented. Trustee Correll seconded the motion, which carried unanimously.

**Department Reports:** The clerk submitted a department report from Code Enforcement for September 2020, and Recreation for October 2020.

**Treasurer's Reports:** Clerk Treasurer Wood presented the following financial reports:

General Fund 9/1/20 – 9/30/20

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 95,413.61 | Current Revenues | 129,404.78 |
| Deposits | 682,123.94 | Year to Date Revenue | 2,403,742.74 |
| Disbursements | -474,209.70 | Current Expenditures | 267,093.54 |
| Ending Balance | 303,327.85 | Year to Date Expended | 995,434.19 |

\*General Capital Reserve Fund, $165,903.14

Cemetery Fund 9/1/20 – 9/30/20

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 36,658.16 | Current Revenues | 1,359.31 |
| Deposits | 1,351.49 | Year to Date Revenue | 43,785.15 |
| Disbursements | -7,339.31 | Current Expenditures | 7,326.64 |
| Ending Balance | 30,670.34 | Year to Date Expended | 34,390.78 |

\*Perpetual Care Fund $33,678.49

Capital Projects Fund 9/1/20 – 9/30/20

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | Storm Drains | Glen Park | WWTP Upgrade | Water Project | Restore NY |
| Beginning Balance | 80,005.28 | 52,772.68 | 840,044.51 | 307,144.10 | 379.98 |
| Deposits/Debits | 0.00 | 246,515.28 | 4,503,903.00 | 0.00 | 0.00 |
| Disbursements/Credits | -80,005.28 | 0.00 | -4,590,226.17 | -45,000.00 | 0.00 |
| Ending Balance | 0.00 | 299,287.96 | 753,721.34 | 262,144.10 | 379.98 |

\*Total Capital Projects Fund Balance $1,315,155.40

Loan Programs 9/1/20 – 9/30/20

|  |  |  |  |
| --- | --- | --- | --- |
| Business Loans |  | Rehab Loans | Balances |
| Beginning Balance | 248,222.11 | Beginning Balance | 8,162.04 |
| Deposits | 441.79 | Deposits | 680.80 |
| Disbursements | -202,500.00 | Disbursements | -2,500.00 |
| Ending Balance | 46,163.90 | Ending Balance | 6,342.84 |
| Money Market/Savings | 128,494.53 | MM/Savings Balance | 170,191.95 |
| Due from CP/Glen Park | 60,000.00 |  | 0.00 |
| Total Fund Balance | 234,658.43 | Total Available Balance | 176,534.79 |

*\*outstanding loans $21,650.16 \*outstanding loans $22,315.02*

**Finance Committee/Approval of Abstract:** Trustee Sinsabaugh presented the following abstracts, and moved to approve all payments: General Fund $28,234.37; Business Loans $2,500; and Rehab Loans $2,500. Trustee Havens seconded the motion, which carried unanimously.

**Capital Projects Abstract:** Trustee Sinsabaugh moved to approve the following expenditures be paid from the Capital Projects Fund. Trustee Sweeney seconded the motion, which carried unanimously.

|  |  |  |  |
| --- | --- | --- | --- |
| Vendor | Project | Invoice | Amount |
| Walsh & Sons Construction | Glen Park Project | 4 | $ 81,983.39 |
| Total |  |  | $ 81,983.39 |

**Tioga County Update:**  Tioga County Legislator Mullen stated sales tax is down approximately 5%, and the state will be holding back 20% in State Aid Funding. He is unsure if the state will pay out that 20% later in the year. He stated home improvements are high.

New York State has 150 million Rapid Covid-19 Tests, and Tioga County is trying to get some. Most of these tests will be disbursed throughout New York City.

Tioga County has voted to end curbside pickup for recycling. Mullen stated that several county programs would lose their state funding if the tax cap goes over 2%. The STAR Exemptions are also tied to staying under the tax cap. Recycling would increase the county taxes approximately 5%. He stated the garbage haulers will be responsible for picking up recycling, however, he is unsure of the costs associated with it. That would be different with each hauler. The Barton Transfer Station will take recycling also.

**Glen Park Project Update:** Mayor Ayres stated the work is moving right along. The stone wall at the waterfall is looking great and will help with the erosion.

**Proposed Glenwood Cemetery Expansion:** Ron Keene stated Hunt Engineers would install in-ground markers at each corner of each grave at a cost of approximately $5,000. This would be done in the new section of Glenwood Cemetery, 180 graves. Mr. Keene recommended these be installed to help with future placement of burials. Discussion followed. Trustee Burns moved to approve Hunt Engineers install the markers as presented. Trustee Correll seconded the motion, which carried unanimously.

Trustee Sinsabaugh moved to increase the purchase price of graves from $750 to $850, per grave (4’ x 10’), to help offset the maintenance of the cemeteries. Trustee Havens seconded the motion, which carried unanimously.

**Village Hall Maintenance Committee:** Mayor Ayres stated the Police entrance can be repaired after October 16, 2020. The work could be done by the village.

**Municipal Solutions Contract:** The clerk stated the contract with Municipal Solutions needs to be extended due to the extension of the financing regarding the Sewer Plant Upgrade. Municipal Solutions requested amending the contract, with no cost increase, to extend for an additional 12-months. Trustee Sinsabaugh moved to approve the amendment as presented. Trustee Havens seconded the motion, which carried unanimously.

**Hazard Mitigation:** Mayor Ayres stated Mike Jura, Tioga County Soil & Water Conservation, stated there is grand funds available to survey/study Dry Brook Creek. Each grant is up to $25,000 with a match of 25%, which could be in-kind services. He stated there is much confusion as to who is responsible for the creek and who and what can be done within the creek. This should help answer those questions, and outline recommendations.

**Public Hearing for the Comprehensive Plan:** Trustee Sinsabaugh moved to schedule a Public Hearing to solicit comments with respect to the updated Village of Waverly’s Comprehensive Plan on October 27, 2020 at 6:30 p.m., and the clerk to advertise the same. Trustee Burns seconded the motion, which carried unanimously.

**Approval of 2018 CDBG Abstract:** The clerk presented the abstract for Drawdown #10 in the amount of $58,515.80. Trustee Correll moved to approve the bills as presented. Trustee Sweeney seconded the motion, which carried unanimously.

**CDBG New Applicant Approval Request:** The clerk submitted approval requests for projects to be done on the 2018 CDBG. They are as follows:

* 2018-09 Total Cost - $ 16,263

work includes: windows, doors, painting, heating, and other

Trustee Burns moved to authorize the above project as submitted. Trustee Havens seconded the motion, which carried unanimously.

* 2018-10 Total Cost - $ 33,705

work includes: windows, doors, roofing, exterior and interior carpentry, painting, and other

Trustee Sinsabaugh moved to authorize the above project as submitted. Trustee Havens seconded the motion, which carried unanimously.

* 2018-11 Total Cost - $ 31,210

work includes: roofing, siding, interior carpentry, and other

Trustee Correll moved to authorize the above project as submitted. Trustee Burns seconded the motion, which carried unanimously.

**Public Hearing for 2018 CDBG Program:** The clerk stated we are required to hold a second Public Hearing during the grant implementation period to provide details with respect to the program and program progress, solicit comments with respect to the CDBG Program or grant activities. Trustee Havens moved to schedule the Public Hearing on November 10, 2020 at 6:30 p.m., and the clerk to advertise the same. Trustee Correll seconded the motion, which carried unanimously.

**Clerk Position Update:** Trustee Burns stated he stopped in to discuss issues with the office staff, and stated there is a need to hire another clerk. He stated that Clerk Lopreste could retire at any time. He was also concerned with costs, and unforeseen revenue decreases. Trustee Sinsabaugh also stated he discussed issues with Clerk Treasurer Wood and agreed that another clerk is needed. He moved to approve advertising for the position. Trustee Havens asked if a candidate was found, would the Board be open to proceed with interviewing and hiring? The consensus of the Board was to move forward. Trustee Havens seconded the motion, which carried unanimously.

**Sidewalk Block Reimbursement Program:** The clerk submitted an application from Tim & Cheryl Frock, 21 Pine Street, for reimbursement of six (6) sidewalk blocks. The pre-inspection has been done by Code Enforcement. Trustee Sweeney moved to approve reimbursement of $600 as set forth by the program. Trustee Correll seconded the motion, which carried unanimously.

The clerk submitted an application from Lanae & Brian Sklarkowski, 5 Athens Street, for reimbursement of two (2) sidewalk blocks. The pre-inspection has been done by Code Enforcement. Trustee Sinsabaugh moved to approve reimbursement of $200 as set forth by the program. Trustee Havens seconded the motion, which carried unanimously.

**Budget Transfers:** Trustee Sinsabaugh moved to approve the following budget transfers as presented. Trustee Havens seconded the motion, which carried unanimously.

|  |  |  |  |
| --- | --- | --- | --- |
| **Line Item** | **Description** | **Transfer In:** | **Transfer Out:** |
| A 2801 | Interfund Revenues | 5,000 |  |
| A 5031 | Interfund Transfers |  | -5,000 |

**Mayor/Board Comments:** Mayor Ayres stated he is looking into regulations regarding employees that may need time off due to the COVID-19 outbreak. He stated there are questions as to what happens if an employee gets exposed to COVID-19 and has to quarantine, and how they get paid. Also, what happens if employee travels to states that you are mandated to quarantine upon returning home. He will be discussing with our Labor Attorney to help develop a policy. He also asked Attorney Keene to be involved.

Mayor Ayres stated South Waverly Borough and Athens Township has cancelled Trick or Treat. Sayre Borough and Athens Borough are still on for now. He stated he feels that since Governor Cuomo is allowing it, and the other communities are having it, that we shouldn’t cancel. All valley communities are scheduling for the same night and time. He stated if residents don’t feel safe with it, he would encourage them to not have their light on. If parents don’t feel safe with it, he encourages them not to take their children out. He stated if the other communities cancel, he would also cancel.

**Executive Session:** Trustee Havens moved to enter Executive Session at 8:00 p.m. to discuss a contract issue. Trustee Sinsabaugh seconded the motion, which carried unanimously.

Trustee Sinsabaugh moved to enter Regular Session at 7:48 p.m. Trustee Havens seconded the motion, which carried unanimously.

**Adjournment**: Trustee Havens moved to adjourn at 8:10 p.m. Trustee Correll seconded the motion, which carried unanimously.

Respectfully submitted,

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Michele Wood, Clerk Treasurer

**PUBLIC HEARING HELD BY THE BOARD OF**

**TRUSTEES OF THE VILLAGE OF WAVERLY AT 6:30 P.M.**

**ON TUESDAY, OCTOBER 27, 2020 IN THE TRUSTEES' ROOM,**

**VILLAGE HALL FOR THE PURPOSE OF PUBLIC COMMENT**

**REGARDING THE VILLAGE OF WAVERLY’S COMPREHENSIVE PLAN**

Mayor Ayres declared the hearing open at 6:30 p.m. and directed the clerk to read the notice of public hearing.

**Roll Call:** Trustees Present: Kyle Burns, Keith Correll, Charles Havens, Kevin Sweeney, Andrew Aronstam, Jerry Sinsabaugh, and Mayor Patrick Ayres

Also present were Clerk Treasurer Michele Wood, Code Enforcement Officer Chris Robinson, and Attorney Betty Keene

Press: Pat McDonald of the Morning Times

Mayor Ayres read the Notice of Public Hearing. He stated the Planning Board has been working on the Draft Comprehensive Plan for over a year and has presented the final draft. He stated the previous plan was approximately 40 years old and the village was long overdue to update it. He gave a brief update of the plan. He stated that Tioga County, Waverly Business Association, Waverly School District, and several residents worked with the Planning Board on this plan. These plans help the village when applying for State & Federal Grants and a number of other things.

Mayor Ayres opened the floor for comments.

Linda Vogel, 201 Broad Street, stated she read the plan and participated in ZOOM Meetings. She asked the Board to seriously look at the plan. She stated Broad Street can’t expand due to the flood plain. She stated she would like the Business District expanded further East and West to include other businesses.

Mayor Ayres stated the Business District is located between Fulton Street to Pennsylvania Avenue. He stated this was based on architectural designs of the building within that area. That would be considered the “core” of the Business District. Trustee Aronstam asked what and if there were any benefits if located within the district? Mayor Ayres stated the only one he knew of was when we received a Streetscape Grant. These are usually not a lot of money and they want improvements made within a smaller area so that it has a bigger effect. He also stated that changes can be made in the future as this is a plan and it should be reviewed and amended when needed. Ms. Vogel did not offer further comment.

With no one else wishing to be heard, Mayor Ayres closed the hearing at 6:44 p.m.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Michele Wood, Clerk/Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:45 P.M.**

**ON TUESDAY, OCTOBER 27, 2020 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:45 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Trustees Present: Kyle Burns, Keith Correll, Charles Havens, Kevin Sweeney, Andrew Aronstam, Jerry Sinsabaugh, and Mayor Patrick Ayres

Also present were Clerk Treasurer Michele Wood, Code Enforcement Officer Chris Robinson, and Attorney Betty Keene

Press: Pat McDonald of the Morning Times

**Public Comments:** Dan Vrooman, 462 Waverly Street, stated there are parking issues on Waverly Street from the Post Office to Chemung Street. The parking was all removed. He stated that all received parking tickets for parking. He asked the Board to lift the restriction in front of the residences and allow parking. He submitted a petition with 21 signatures, all of which live in that area.

Tom Gorman, 462 Waverly Street, stated there is also restrictions of no parking on the West side between 2:00-6:00 a.m. He would like that restriction lifted so there can be overnight parking. He also stated traffic is speeding and parked cars may slow it down.

Erin Fagen, 464 Waverly Street, stated renters move in and out of that area frequently. She stated she was surprised to be ticketed, and asked why the parking restriction was implemented at all.

**Letters and Correspondence:** The clerk read a letter from Annie Caplan requesting permission to have a Halloween Food Handout Event at Muldoon Park on October 29th from 6-8 p.m. They are not insured. Mayor Ayres stated he discussed this with Chief Gelatt and they both have concerns with Covid-19 restrictions, Trick or Treat Night, and liability issues. The Board agreed. Trustee Aronstam moved to deny her request. Trustee Correll seconded the motion, which carried unanimously. Mayor Ayres offered to reach out to her and help her get set up to work with another entity to distribute food.

**Approval of Minutes:** Trustee Sweeney moved to approve the Minutes of October 13, 2020 as presented. Trustee Havens seconded the motion, which carried unanimously.

**Revenue Status:** The clerk submitted a report showing year-to-date revenues on September 2019 compared to September 2020. The total revenues are currently down by $7,626.52.

**Finance Committee/Approval of Abstract:** Trustee Sinsabaugh presented the following abstracts, and moved to approve all payments: General Fund $82,819.38; and Cemetery Fund $14.86. Trustee Sweeney seconded the motion, which carried unanimously.

**Glen Park Project Update:** Mayor Ayres stated the work being done has improved the park tremendously. He also stated the Aronstam Family is donating the footbridge. The Board thanked Trustee Aronstam for his family’s donation.

Change Oder #1, Delta Engineers - Mayor Ayres stated Delta Engineering has requested additional funding of $7,283.75. He stated this is due to unforeseen additional services required for the restroom building construction as a result of work required beyond the contractor’s extended completion date. Trustee Aronstam moved to approve the additional funding to as requested. Mayor Ayres stated the extra costs can be claimed against Walsh & Sons Construction as liquidated damages. We still are holding $15,000 in retainage. Trustee Correll moved to approve Change Order #2 to Delta Engineer as presented. Trustee Sweeney seconded the motion, which duly led to a roll call vote resulting as follows:

Ayes – 7 (Correll, Burns, Sweeney, Sinsabaugh, Aronstam, Havens, Ayres)

Nays – 0

The motion carried.

**Proposed Glenwood Cemetery Expansion:** Ron Keene asked that the brush be cut back along the back edge of the expansion. He stated Hunt Engineers will be putting the markers in soon.

Ron Keene stated the Friends of the Waverly Cemeteries will be reviewing the current Rules and Regulations. He will keep the Board informed of any request for amendments.

**NYCOM Training:** The clerk presented a webinar invitation for October 29th from NYCOM for “Understanding Village Government and Your Place in It”. She stated these are very informational and recommended it to the members of the Board. These webinars can be done from home.

**Comprehensive Plan Resolution:** Trustee Havens offered the following resolution, and moved its adoption:

WHEREAS, the Village of Waverly Planning Board has worked for the last year and a half in conjunction with Thoma Development Consultants and Tioga County Department of Economic Development & Planning to develop this Comprehensive Plan Update, which has not been addressed since 1981; and

WHEREAS, the Village of Waverly Planning Board has prepared this Comprehensive Plan Update pursuant to NYS Village Law, Article 7, Section 722; and

WHEREAS, the Village of Waverly Planning Board has also conducted an environmental assessment for the Type 1 action under SEQR using the Full Environmental Assessment Form; and

WHEREAS, after a public hearing was held on October 6, 2020, the Village of Waverly Planning Board determined, by resolution, that the Comprehensive Plan Update was ready for the local approvals process; and

WHEREAS, the Village of Waverly Planning Board referred the Comprehensive Plan Update to the Tioga County Planning Board as required by General Municipal Law Section 239 l&m, and the Tioga County Planning Board provided a recommendation of approval; and

WHEREAS, the Village of Waverly Board of Trustees held a public hearing on October 27, 2020 and heard no opposition; and

WHEREAS, the Village of Waverly Board of Trustees has determined that the Comprehensive Plan Update will result in no significant adverse environmental impacts per the completed Full Environmental Assessments Form and, therefore, makes a Negative Declaration for SEQR purposes; therefore, be it

RESOLVED, that the Village of Waverly Board of Trustees hereby adopts the Comprehensive Plan Update of 2020.

Trustee Sweeney seconded the motion, which duly led to a roll call vote resulting as follows:

Ayes – 7 (Correll, Burns, Sweeney, Sinsabaugh, Aronstam, Havens, Ayres)

Nays – 0

The motion carried.

**Village Hall Maintenance Committee:** Trustee Correll stated he and Trustee Aronstam looked at the Village Hall Wing and it has many issues. The bricks are in danger, the SW corner foundation has major issue. Mayor Ayres requested that all members of the Committee meet and report back.

**Employee COVID-19 Travel/Quarantine Policy:**  Mayor Ayres stated he reached out to Attorney Robert McKertich, and is waiting on a response. He will update Board after discussion with attorney.

**Approval of 2018 CDBG Abstract:** The clerk presented the abstract for Drawdown #11 in the amount of $29,980.00. Trustee Sinsabaugh moved to approve the bills as presented. Trustee Havens seconded the motion, which carried unanimously.

**Community Room Rental:** The clerk stated there have been some people calling to rent the Community Room. She stated most that have previously rented it for now have cancelled due to COVID-19 concerns. She asked if the Board wanted it to be rented out or not since the virus is peaking again. Discussion followed. Trustee Havens moved to not rent the Community Room out until further notice. Trustee Sinsabaugh seconded the motion, which carried unanimously.

**Request for Tree Bids:** The clerk submitted a list of trees that need to be removed or trimmed. Trustee Havens moved to advertise for bids with a deadline of 4:00 p.m. on November 24, 2020. Trustee Sinsabaugh seconded the motion, which carried unanimously.

**Mayor/Board Comments:** Mayor Ayres stated we have purchased an air fogger to help kill any potential germs in the air. The cost was approximately $200. He asked Chief Gelatt to purchase 2 more for the DPW/Water and WWTP.

Trustee Havens stated Jack Pond, DPW, recommended we install guardrails along Lincoln Street, behind the new apartment complex to protect residents and building. We would need 13 12-foot sections. The estimate he got was $3,402 including installation. Trustee Havens moved to approve the purchase as presented. Trustee Sinsabaugh seconded the motion, which carried unanimously.

**Executive Session:** Trustee Havens moved to enter Executive Session at 7:41 p.m. to discuss a contract issue. Trustee Correll seconded the motion, which carried unanimously.

Trustee Aronstam moved to enter Regular Session at 7:45 p.m. Trustee Havens seconded the motion, which carried unanimously.

Trustee Havens moved to Hire Attorney Rick James to work on a tax assessment appeal filed by Leprino Foods. Trustee Sinsabaugh seconded the motion, which carried unanimously.

**Adjournment**: Trustee Sinsabaugh moved to adjourn at 7:48 p.m. Trustee Sweeney seconded the motion, which carried unanimously.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Michele Wood, Clerk Treasurer

**PUBLIC HEARING HELD BY THE BOARD OF**

**TRUSTEES OF THE VILLAGE OF WAVERLY AT 6:30 P.M.**

**ON TUESDAY, NOVEMBER 10, 2020 IN THE TRUSTEES' ROOM,**

**VILLAGE HALL FOR THE PURPOSE OF PUBLIC COMMENT**

**REGARDING AN APPLICATION FOR 2018 NEW YORK**

**COMMUNITY DEVELOPMENT BLOCK GRANT**

Mayor Ayres declared the hearing open at 6:15 p.m. and directed the clerk to read the notice of public hearing.

**Roll Call:** Trustees Present: Kyle Burns, Keith Correll, Kevin Sweeney, Andrew Aronstam, Jerry Sinsabaugh, and Mayor Patrick Ayres

Also present were Clerk Treasurer Michele Wood, Code Enforcement Officer Chris Robinson, and Attorney Betty Keene

Press: Pat McDonald of the Morning Times

Mayor Ayres read the Notice of Public Hearing. He discussed past performances, housing, and other community development needs. He explained eligible activities such as housing rehabilitation, economic development, public facilities, public infrastructure, and technical assistance. All activities under this program must primarily benefit low-to-moderate income households. He offered the Citizen Participation Plan handout, and asked if anyone had questions.

With no one wishing to be heard, Mayor Ayres closed the hearing at 6:45 p.m.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Michele Wood, Clerk/Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:45 P.M.**

**ON TUESDAY, NOVEMBER 10, 2020 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

**Call to Order:** Mayor Ayres called the meeting to order at 6:45 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Trustees present: Kevin Sweeney, Jerry Sinsabaugh, Kyle Burns, Keith Correll, Andrew Aronstam, and Mayor Patrick Ayres

Also present: Clerk Treasurer Michele Wood, Code Officer Chris Robinson, and Attorney Betty Keene

**Public Comments:** Ron Keene, 7 Elliott Street, stated he felt the Water House is in good condition and asked why the Board would want to tear it down. He stated that it should be sold.

Ron Keene asked the Board why they allowing a dilapidated building in the business district. Attorney Keene stated the owner is scheduled to appear in court.

**Letters and Correspondence:** The clerk read a letter from Mary Sobel, of the Red Door Thrift Store, requesting a street closures for their annual “Children’s Visit with Santa Gift Giveaway” on December 12, 2020 between the hours of 12:00 p.m. and 2:00 p.m. She is working with the Waverly Police Department. Due to restrictions of COVID-19, they are requesting permission to have a drive-through and distribute gifts through the car windows. They would use Village Hall parking lot. Trustee Burns moved to approve the street closure as requested, contingent upon submittal of proper insurance. Trustee Sweeney seconded the motion, which carried unanimously.

**Liquor License Renewal:** The clerk submitted a 30-day advanced notice for a renewal application of a liquor license being filed with New York State. The notice was submitted by Laurence Parks on behalf of the Waverly Memorial Post No. 8104 VFW located at 206 Broad Street. The clerk stated Chief Gelatt reviewed application and had no concerns. Trustee Sinsabaugh moved to accept the notice with no comment. Trustee Sweeney seconded the motion, which carried unanimously.

**Approval of Minutes:** Trustee Sweeney moved to approve the Minutes of October 27, 2020 as presented. Trustee Sinsabaugh seconded the motion, which carried unanimously.

**Department Reports:** The clerk submitted a department report from Code Enforcement and Police Department for October 2020, and Recreation for November 2020.

**Treasurer's Reports:** Clerk Treasurer Wood presented the following financial reports:

General Fund 10/1/20 – 10/31/20

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 303,327.85 | Current Revenues | 66,992.04 |
| Deposits | 198,761.99 | Year to Date Revenue | 2,470,734.78 |
| Disbursements | -242,791.82 | Current Expenditures | 240,948.43 |
| Ending Balance | 259,298.02 | Year to Date Expended | 1,236,382.62 |

\*General Capital Reserve Fund, $165,931.32

Cemetery Fund 10/1/20 – 10/31/20

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 30,670.34 | Current Revenues | 5,559.44 |
| Deposits | 5,551.36 | Year to Date Revenue | 49,344.59 |
| Disbursements | -228.54 | Current Expenditures | 228.54 |
| Ending Balance | 35,993.16 | Year to Date Expended | 34,619.32 |

\*Perpetual Care Fund $33,678.49

Capital Projects Fund 10/1/20 – 10/31/20

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | Storm Drains | Glen Park | WWTP Upgrade | Water Project | Restore NY |
| Beginning Balance | 0.00 | 299,287.96 | 753,721.34 | 262,144.10 | 379.98 |
| Deposits/Debits | 0.00 | 250.00 | 0.00 | 0.00 | 0.00 |
| Disbursements/Credits | 0.00 | -81,983.39 | 0.00 | -55,000.00 | 0.00 |
| Ending Balance | 0.00 | 217,554.57 | 753,721.34 | 207,144.10 | 379.98 |

\*Total Capital Projects Fund Balance $1,178,420.01

Loan Programs 10/1/20 – 10/31/20

|  |  |  |  |
| --- | --- | --- | --- |
| Business Loans |  | Rehab Loans | Balances |
| Beginning Balance | 46,163.90 | Beginning Balance | 6,342.84 |
| Deposits | 214.90 | Deposits | 747.35 |
| Disbursements | 0.00 | Disbursements | -3,200.00 |
| Ending Balance | 46,378.80 | Ending Balance | 3,890.18 |
| Money Market/Savings | 128,516.35 | MM/Savings Balance | 170,220.85 |
| Due from CP/Glen Park | 60,000.00 |  | 0.00 |
| Total Fund Balance | 234,895.15 | Total Available Balance | 174,111.03 |

*\*outstanding loans $21,463.74 \*outstanding loans $22,510.10*

**Revenue Status:** The clerk submitted a report showing year-to-date revenues on October 2019 compared to October 2020. Revenues are currently down by $13,114.64 (mostly by court fines of $12,058.24).

**Finance Committee/Approval of Abstract:** Trustee Sinsabaugh presented the following abstracts, and moved to approve all payments: General Fund $30,366.69. Trustee Sweeney seconded the motion, which carried unanimously.

**Capital Projects Abstract:** Trustee Sinsabaugh moved to approve the following expenditures be paid from the Capital Projects Fund. Trustee Burns seconded the motion, which carried unanimously.

|  |  |  |  |
| --- | --- | --- | --- |
| Vendor | Project | Invoice | Amount |
| Delta Engineers | Glen Park Project | 19 | 6,905.80 |
| R B Robinson Contracting | Glen Park Project | 1 | 298,822.50 |
| Total |  |  | $ 305,728.30 |

**Tioga County Update:**  Mayor Ayres stated the number of cases of COVID-19 are rising daily. He encourages the residents and the community to use precautions to help stop the spread.

**WBA Update:** Cameron VanNorman, WBA President, stated the WBA is offering services to work with the Village in reaching the goals outlined in the Comprehensive Plan.

**Glen Park Project Update:** Mayor Ayres stated work is continuing in the Glen, however, they will be ending soon. They will be back in the Spring to finish things up. Code Enforcement Officer Robinson stated R B Robinson Contracting is doing a great job and easy to work with.

Change Order #1, R B Robinson Contracting: The clerk submitted Change Order #1 in the amount of $3,000. This was submitted to build a footbridge near the waterfall area. This is funded by the donation made by the Aronstam Family. Trustee Correll moved to approve Change Order #1 for R B Robinson Contracting as presented. Trustee Sinsabaugh seconded the motion, which carried unanimously.

Change Order #2, R B Robinson Contracting: The clerk submitted Change Order #2 in the amount of $920. This was submitted for the removal of four large dead Ash Trees in the waterfall area. Trustee Aronstam moved to approve Change Order #2 for R B Robinson Contracting as presented. Trustee Sweeney seconded the motion, which carried unanimously.

**CDBG New Applicant Approval Request:** The clerk submitted approval requests for projects to be done on the 2018 CDBG. They are as follows:

* 2018-12 Total Cost - $ 60,000

work includes: windows, doors, exterior and interior carpentry, plumbing, electric, heating, and other

Trustee Sinsabaugh moved to authorize the above project as submitted. Trustee Sweeney seconded the motion, which carried unanimously.

* 2018-13 Total Cost - $ 43,060

work includes: windows, doors, roofing, exterior carpentry, plumbing, electric, and flooring

Trustee Correll moved to authorize the above project as submitted. Trustee Burns seconded the motion, which carried unanimously.

**Village Hall Maintenance Committee:** Trustee Correll explained all the areas that need attention in the wing of Village Hall. The most concerning is the back SW corner as there is a crack. He believes this is caused by a footer foundation giving way. There is also a crack in the interior flooring at the same corner. He also noted that the windows, frames, and sills have also deteriorated and causing water to infiltrate which is expediting more deterioration of the building. Discussion followed regarding the future of the wing. The Board would need to decide if they want to repair the building and demolish parts of it.

**Parking on Waverly Street (Elizabeth Street to Chemung Street):** Mayor Ayres stated there is a request to delete the 2:00-6:00 a.m. parking restriction on the NW section of Waverly Street between Elizabeth Street and Chemung Street. He stated Chief Gelatt is reviewing and he would like thoughts from the Board at the next meeting.

**Adjournment**: Trustee Correll moved to adjourn at 7:58 p.m. Trustee Sinsabaugh seconded the motion, which carried unanimously.

Respectfully submitted,

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Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, NOVEMBER 24, 2020**

**VIA ZOOM CONFERENCE CONNECTION**

**Call to Order:** Mayor Ayres called the meeting to order at 6:30 p.m.

**Roll Call:** Trustees present: Kevin Sweeney, Charles Havens, Kyle Burns, Keith Correll, Andrew Aronstam, and Mayor Patrick Ayres

Also present: Clerk Treasurer Michele Wood, and Attorney Betty Keene

**Approval of Minutes:** Trustee Burns moved to approve the Minutes of November 10, 2020 as presented. Trustee Havens seconded the motion, which carried unanimously.

**Finance Committee/Approval of Abstract:** Trustee Sweeney presented the following abstracts, and moved to approve all payments: General Fund $294,495.77; and Cemetery Fund 298.35. The clerk stated the General Fund bills included the annual Police and Employees Retirement Bills. Trustee Correll seconded the motion, which carried unanimously.

**Glen Park Project Update:** Mayor Ayres stated work will be ending soon for the season and restarting in early Spring.

Change Order #3, R B Robinson Contracting: The clerk submitted Change Order #3 in the amount of $1,380. This includes taking down additional Ash trees that is needed before planting can proceed. Trustee Burns moved to approve Change Order #3 for R B Robinson Contracting as presented. Trustee Sweeney seconded the motion, which carried unanimously.

**Approval of 2018 CDBG Abstract:** The clerk presented the abstract for Drawdown #12 in the amount of $10,029.00. Trustee Havens moved to approve the bills as presented. Trustee Correll seconded the motion, which carried unanimously.

**Tree Bids:** Mayor Ayres opened the bids for tree removal and trimming. They were as follows:

Mattison’s Bucket Service 8,450

Quality Tree Service 9,300

Trustee Sweeney moved to award bid to Mattison’s Bucket Service in the amount of $8,450. This was the lowest, qualified bid. Trustee Burns seconded the motion, which carried unanimously.

**December Meeting:** Mayor Ayres stated the December 8th meeting will be held virtually via ZOOM, and the December 22nd meeting is cancelled due to the Holiday.

**Adjournment**: Trustee Correll moved to adjourn at 6:55 p.m. Trustee Havens seconded the motion, which carried unanimously.

Respectfully submitted,

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Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, DECEMBER 8, 2020**

**VIA ZOOM CONFERENCE CONNECTION**

**Call to Order:** Mayor Ayres called the meeting to order at 6:30 p.m.

**Roll Call:** Trustees present: Kevin Sweeney, Charles Havens, Kyle Burns, Jerry Sinsabaugh, Andrew Aronstam, and Mayor Patrick Ayres

Also present: Clerk Treasurer Michele Wood, and Attorney Betty Keene

**Approval of Minutes:** Trustee Havens moved to approve the Minutes of November 24, 2020 as presented. Trustee Sweeney seconded the motion, which carried unanimously.

**Department Reports:** The clerk submitted a department report from Code Enforcement and Recreation for November 2020. Trustee Aronstam stated the Water and Parks Departments worked together to remove the leaves from the cemeteries, which took approximately one full day. He recommended these departments remove the leaves from the cemeteries each year, so the Street Department can focus on removing them from the streets. The Board agreed.

**Treasurer's Reports:** Clerk Treasurer Wood presented the following financial reports:

General Fund 11/1/20 – 11/30/20

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 259,298.02 | Current Revenues | 67,379.51 |
| Deposits | 378,668.98 | Year to Date Revenue | 2,538,114.29 |
| Disbursements | -427,125.24 | Current Expenditures | 421,284.19 |
| Ending Balance | 210,841.76 | Year to Date Expended | 1,657,666.81 |

\*General Capital Reserve Fund, $165,958.59

Cemetery Fund 11/1/20 – 11/30/20

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 35,993.16 | Current Revenues | 309.35 |
| Deposits | 301.53 | Year to Date Revenue | 49,653.94 |
| Disbursements | -213.68 | Current Expenditures | 512.03 |
| Ending Balance | 36,081.01 | Year to Date Expended | 35,131.35 |

\*Perpetual Care Fund $33,678.49

Capital Projects Fund 11/1/20 – 11/30/20

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Glen Park | WWTP Upgrade | Water Project | Restore NY |
| Beginning Balance | 217,554.57 | 753,721.34 | 207,144.10 | 379.98 |
| Deposits/Debits | 3,000.00 | 0.00 | 0.00 | 0.00 |
| Disbursements/Credits | -305,728.30 | 0.00 | 0.00 | 0.00 |
| Ending Balance | -85,173.73 | 753,721.34 | 207,144.10 | 379.98 |

\*Total Capital Projects Fund Balance $1,178,420.01

Loan Programs 11/1/20 – 11/30/20

|  |  |  |  |
| --- | --- | --- | --- |
| Business Loans |  | Rehab Loans | Balances |
| Beginning Balance | 46,378.80 | Beginning Balance | 3,890.75 |
| Deposits | 651.09 | Deposits | 548.57 |
| Disbursements | 0.00 | Disbursements | 0.00 |
| Ending Balance | 47,029.89 | Ending Balance | 4,439.32 |
| Money Market/Savings | 128,537.47 | MM/Savings Balance | 170,248.83 |
| Due from CP/Glen Park | 60,000.00 |  |  |
| Total Fund Balance | 235,567.36 | Total Available Balance | 174,688.15 |

*\*outstanding loans $21,463.74 \*outstanding loans $30,281.28*

**Revenue Status:** The clerk submitted a report showing year-to-date revenues for November 2019 and November 2020. Revenues are currently down by $22,434.41 (court fines down $10,279.24).

**Finance Committee/Approval of Abstract:** Trustee Burns presented the following abstracts, and moved to approve all payments: General Fund $14,240.36; and Recreation Commission $948.00. Trustee Sweeney seconded the motion, which carried unanimously.

**Glen Park Project Update:** Mayor Ayres stated the contractor is finishing up a few areas of the park as weather permits. They will get the fencing and the footbridge done. Trustee Havens stated the Park does look nice, however, was concerned that some parking was lost and lack of playground equipment. Mayor Ayres stated a large swing set was lost due to deterioration, but we do have a $5,000 grant for new equipment to be installed once the construction is done. He also stated there were a few parking spots lost in the upper end due to drainage being put in. Once the paving can be done, we will add more spots in the lower end. There was also concern with the park being closed to traffic, people are parking in the grass next to the Mausoleum and causing damage. Trustee Havens will discuss DPW about possibly putting up a snow fence for the winter to help keep the cars out of that area.

**Records Retention and Disposition Schedule:** Trustee Burn offered the following resolution and moved its adoption:

Records Retention and Disposition Schedule

RESOLVED, by the Board of Trustees of the Village of Waverly that the *Retention and Disposition Schedule for New York Local Government Records (LGS-1*), issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein, and

FURTHER RESOLVED, that in accordance with Article 57-A:

1. Only those records will be disposed of that are described in *Retention and Disposition Schedule for New York Local Government Records (LGS-1),* after they have met the minimum retention periods described therein, and
2. Only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

Trustee Havens seconded the motion, which carried unanimously.

**Approval of 2018 CDBG Abstract:** The clerk presented the abstract for Drawdown #13 in the amount of $20,300.00. Trustee Havens moved to approve the bills as presented. Trustee Burns seconded the motion, which carried unanimously.

**Mayor/Board Comments:** Trustee Sweeney stated the dog park group is still interested in having a park located in the village. The group would like to meet with the Board once we are doing in-person sessions.

**Adjournment**: Trustee Burns moved to adjourn at 7:04 p.m. Trustee Havens seconded the motion, which carried unanimously.

Respectfully submitted,

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Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, JANUARY 12, 2021**

**VIA ZOOM CONFERENCE CONNECTION**

**Call to Order:** Mayor Ayres called the meeting to order at 6:30 p.m.

**Roll Call:** Trustees present: Kevin Sweeney, Charles Havens, Kyle Burns, Jerry Sinsabaugh, Andrew Aronstam, and Mayor Patrick Ayres

Also present: Clerk Treasurer Michele Wood, Cameron Van Norman of the WBA, and Attorney Betty Keene

**Covid-19 Vaccine Distribution:** Mayor Ayres read a statement from Chief Gelatt. It stated that Waverly may possibly be distributing the vaccine next week through the school’s bus garage. Mayor Ayres stated the Chief Gelatt and Waverly School Superintendent Eric Knolles have done such a great job for the residents and school district of Waverly. As the information and plans change daily, any questions should be directed to Chief Gelatt.

**Approval of Minutes:** Trustee Sweeney moved to approve the Minutes of December 8, 2020 as presented. Trustee Burns seconded the motion, which carried unanimously.

**Department Reports:** The clerk submitted a department report from Police (November & December 2020) and Recreation for December 2020. Trustee Sinsabaugh stated concern that recreation is having workouts and feels they should be stopped until approved by the county. Trustee Aronstam stated he would get a copy of the waiver, which was approved by Tioga County Department of Health.

Cameron Van Norman stated the WBA met and have concerns with vaccine. He stated cashiers and frontline store clerks are now in line to get vaccines. The WBA is concentrating on ideas to bring foot traffic back to the Business District to help increase sales for the businesses.

**Treasurer's Reports:** Clerk Treasurer Wood presented the following financial reports:

General Fund 12/1/20 – 12/31/20

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 210,841.76 | Current Revenues | 123,619.09 |
| Deposits | 538,364.81 | Year to Date Revenue | 2,661,733.38 |
| Disbursements | -510,902.55 | Current Expenditures | 194,504.41 |
| Ending Balance | 238,304.02 | Year to Date Expended | 1,852,171.22 |

\*General Capital Reserve Fund, $165,986.78

Cemetery Fund 12/1/20 – 12/31/20

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 36,081.01 | Current Revenues | 9.60 |
| Deposits | 1.51 | Year to Date Revenue | 49,663.54 |
| Disbursements | -524.89 | Current Expenditures | 226.54 |
| Ending Balance | 35,557.63 | Year to Date Expended | 35,357.89 |

\*Perpetual Care Fund $33,678.49

Capital Projects Fund 12/1/20 – 12/31/20

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Glen Park | WWTP Upgrade | Water Project | Restore NY |
| Beginning Balance | -85,173.73 | 753,721.34 | 207,144.10 | 379.98 |
| Deposits/Debits | 0.00 | 0.00 | 0.00 | 0.00 |
| Disbursements/Credits | 0.00 | -21,142.39 | 0.00 | 0.00 |
| Ending Balance | -85,173.73 | 732,578.95 | 207,144.10 | 379.98 |

\*Total Capital Projects Fund Balance $854,549.32

Loan Programs 12/1/20 – 12/31/20

|  |  |  |  |
| --- | --- | --- | --- |
| Business Loans |  | Rehab Loans | Balances |
| Beginning Balance | 47,029.89 | Beginning Balance | 4,438.75 |
| Deposits | 433.06 | Deposits | 861.11 |
| Disbursements | 0.00 | Disbursements | 0.00 |
| Ending Balance | 47,462.95 | Ending Balance | 5,299.86 |
| Money Market/Savings | 128,559.30 | MM/Savings Balance | 170,277.74 |
| Due from CP/Glen Park | 60,000.00 |  | 0.00 |
| Total Fund Balance | 236,022.25 | Total Available Balance | 175,577.60 |

*\*outstanding loans $20,503.82 \*outstanding loans $28,357.73*

**Revenue Status:** The clerk submitted a report showing year-to-date revenues for December 2019 vs. December 2020. Revenues are currently down by $23,259.26 (court fines down $11,713.24). Mayor Ayres stated he feels the village is doing ok due to the circumstances beyond our control.

**Finance Committee/Approval of Abstract:** Trustee Burns presented the following abstracts, and moved to approve all payments: General Fund $167,099.31; Cemetery $12.86; and Recreation Commission $21.00. Trustee Sinsabaugh seconded the motion, which carried unanimously.

**Capital Projects Abstract:** Trustee Havens moved to approve the following expenditures be paid from the Capital Projects Fund. Trustee Correll seconded the motion, which carried unanimously.

|  |  |  |  |
| --- | --- | --- | --- |
| Vendor | Project | Invoice | Amount |
| Delta Engineers | Glen Park Project | 20 | 1,176.36 |
| Total |  |  | $ 1,176.36 |

**Glen Park Project Update:** Mayor Ayres stated that when the DPW took out some fencing, the adjoining fencing was not in good shape and was also removed. A portion of the fence needs to be replaced.

Change Order #4, R B Robinson Contracting: The clerk submitted Change Order #4 in the amount of $4,225. This is for 60’ of 10’ galvanized chain-link fencing and installation, which wasn’t included in the original bid. Trustee Havens moved to approve Change Order #4 for R B Robinson Contracting as presented. Trustee Aronstam seconded the motion, which carried unanimously.

**Village Hall Repairs:** Mayor Ayres asked the Board to consider doing a Request for Proposal (RFP) for engineering to secure and stabilize the Village Hall Wing. Discussion followed as to the future plans of the wing. Tioga County Legislator Dennis Mullen stated there may be interest for the county to move the Mental Health Office from William Donnelly Parkway, as they are currently renting the space.

**Approval of 2018 CDBG Abstract:** The clerk presented the abstract for Drawdown #14 in the amount of $11,635 and Drawdown #15 in the amount of $36,953. Trustee Burns moved to approve the bills as presented. Trustee Sweeney seconded the motion, which carried unanimously.

**Annual Election Resolution:** Trustee Sinsabaugh offered the following resolution and moved its

adoption:

WHEREAS, the Annual Election of the Village of Waverly be held in the Trustees’ Room in the Village Hall, at 32 Ithaca Street, Waverly, New York, between the hours of 12:00 o’clock noon and 9:00 o’clock in the afternoon of Tuesday, March 16, 2021, and

WHEREAS, the following be designated as Inspectors of Election: Laura Hoppe, Donna Casterline, Kathleen Jean Minielly-Schmieg, and Nila Rumsey and be paid $150.00 each, and

WHEREAS, Laura Hoppe be hereby appointed Chairman of the Board, and

WHEREAS, the Board of Trustees gives the Clerk-Treasurer the sole authority to replace any inspector who becomes unavailable prior to election, and

BE IT RESOLVED, the Village of Waverly will hold their General Election on Tuesday, March 16, 2021 for the purpose of electing a Mayor and three (3) Trustees, each for a term of two years, and a Village Justice for a term of four years.

The resolution was seconded by Trustee Correll and upon voice vote, unanimously carried.

**Tort Claims:** The clerk stated that two claims (2021-1 and 2021-2) were filed by Deborah Hoover, for 479 Spaulding Street and 8 Ithaca Street, both claiming damage to 3’ vinyl fencing from the snow plows pushing back snow. The clerk stated these were forwarded to NYMIR for their determination.

**Shared Service Agreement with the Town of Chemung:** Mayor Ayres stated the Recreation truck is not working and only has reverse drive. The Code Enforcement car is available for Recreation to use. He spoke with Town of Chemung Supervisor George Richter and they reached a tentative agreement that our Code Officer can use the Town’s vehicle for work in the village, as we currently share the officer. The agreement would be from January through December at a cost of $1,200 annually, and gas would be covered. Trustee Aronstam approved the Shared Service Agreement as presented. Trustee Correll seconded the motion, which carried unanimously. Mayor Ayres asked Attorney Keene to draw up the agreement.

**Disposition of Vehicle:** Trustee Aronstam moved to declare the Recreation truck, 2008 Ford F150 (1FTRX12W08FA48682), as surplus property and no longer needed. Trustee Sinsabaugh seconded the motion, which carried unanimously.

Trustee Aronstam moved to approve the 2008 Ford F150 (1FTRX12W08FA48682) be disposed of by auction. Trustee Sweeney seconded the motion, which carried unanimously.

**Health Emergency Plan:** Mayor Ayres stated the village is required to adopt a Health Emergency Plan. He stated he, Chief Gelatt, and Clerk Treasurer Wood worked on drafting a plan. This was distributed to the Trustees for their review. He would like to discuss further at the next meeting.

**Police Reform:** Trustee Sinsabaugh stated the committee will be meeting tomorrow. There was a survey done and many positive responses were given.

**Budget Committee:** Mayor Ayres appointed Trustees Burns, Sinsabaugh, and Correll to work with Clerk Treasurer Wood and the department heads on the 2021 -2022 Tentative Budget. They all accepted.

**Mayor/Board Comments:** Mayor Ayres stated that with the last snow storm dropping over 3’ of snow, the DPW and all the departments worked very hard in clearing the snow and cleaning off Broad Street. They did a great job, and merchants were very appreciative.

Trustee Burns stated he would like to have in-person meetings and feels they are more productive. Tonight’s meeting had a lot of interference and hard to understand what people were saying. Other members agreed. Mayor Ayres stated that possibly our next meeting could be in-person.

**Adjournment**: Trustee Sinsabaugh moved to adjourn at 8:02 p.m. Trustee Burns seconded the motion, which carried unanimously.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, JANUARY 26, 2021**

**VIA ZOOM CONFERENCE CONNECTION**

**Call to Order:** Mayor Ayres called the meeting to order at 6:30 p.m.

**Roll Call:** Trustees present: Kevin Sweeney, Keith Correll, Charles Havens, Kyle Burns, Jerry Sinsabaugh, Andrew Aronstam, and Mayor Patrick Ayres

Also present: Clerk Treasurer Michele Wood, and Attorney Betty Keene

**Approval of Minutes:** Trustee Sweeney moved to approve the Minutes of January 12, 2021 as presented. Trustee Havens seconded the motion, which carried unanimously.

**Finance Committee/Approval of Abstract:** Trustee Burns presented the following abstracts, and moved to approve all payments: General Fund $47,323.75; and Cemetery $12.27. Trustee Sinsabaugh seconded the motion, which carried unanimously.

**Glen Park Project Update:** Mayor Ayres stated a person is interested in funding a stage area to be built in the Glen Park. The estimate is $26,000. Mayor Ayres stated he gave the information to him and waiting on his response. Trustee Aronstam stated there may be other donors interested also.

**Health Emergency Plan:** Mayor Ayres stated we should have a draft plan for the next meeting.

**Police Reform:** Trustee Sinsabaugh stated the committee is waiting for more information and should have it by the next meeting. Mayor Ayres stated they are doing a survey of 11th and 12th grade students.

**Parking on Waverly Street:** Trustee Havens stated he talked with DPW Lead Pond and he would be comfortable with one-sided street parking on Waverly Street. Discussion followed. Trustee Havens moved to direct Attorney Keene to draft a local law to allow parking, with no time limit, on the west side of Waverly Street, from Elizabeth Street to Chemung Street. Trustee Burns seconded the motion, which carried unanimously.

**Valley Energy:** The clerk presented a letter from Valley Energy stating they will need to replace a gas main at the intersection of Pine Street/West Pine Street, and it will be scheduled for this spring. They asked if any paving would be done there. The clerk gave the letter to DPW Lead Pond.

**Village Hall Repairs:** Mayor Ayres stated Trustee Correll is taking the lead on repairs at Village Hall and asked that Trustee Sinsabaugh and Clerk Treasurer Wood be involved. Mayor Ayres stated that Tioga County Legislator Mullen reached out to Gary Hammond, Tioga County DPW, and he is willing to look at the Village Hall Wing again for any possibilities for future use.

**Approval of 2018 CDBG Abstract:** The clerk presented the abstract for Drawdown #16 in the amount of $3,850. Trustee Sinsabaugh moved to approve the bills as presented. Trustee Correll seconded the motion, which carried unanimously.

**Covid-19 Vaccine Distribution:** Mayor Ayres stated the school has had one distribution for its employees and will have more in the future. Their goal is to have one drive-through vaccine distribution per week. He stated it all depends on how many vaccines they can get.

**Mayor/Board Comments:** Trustee Sinsabaugh stated concern that the Code vehicle (Chevy Equinox) is not equipped or able to tow a trailer with equipment. Mayor Ayres stated he is aware of this. The Water Department is replacing one of their trucks, and we may be able to utilize the old one for the parks. It will need a few repairs though.

Trustee Aronstam stated he is working with the school to see if any modified programs can be done through Recreation. He stated any and all programs that uses school resources need county approval. Currently, there are no programs offered to 6th, 7th, and 8th grades at the school.

**Adjournment**: Trustee Aronstam moved to adjourn at 7:08 p.m. Trustee Burns seconded the motion, which carried unanimously.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, FEBRUARY 9, 2021 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

**Call to Order:** Mayor Ayres called the meeting to order at 6:30 p.m.

**Roll Call:** Trustees present: Kevin Sweeney, Keith Correll, Charles Havens, Kyle Burns, Jerry Sinsabaugh, Andrew Aronstam, and Mayor Patrick Ayres

Also present: Clerk Treasurer Michele Wood, Code Officer Chris Robinson, Tioga County Legislator Dennis Mullen, Chris Wood of Hunt Engineers, Water Board President Dave Cowles, Water Plant Operator Pat Roney, and Attorney Betty Keene (via zoom)

**Public Comment:** Margaret Prinzi, 447 Chemung Street, stated the DPW has done a great job plowing. She stated that sidewalks and crosswalks throughout the village are not being shoveled though.

**Presentation of Water Improvement Project:** The clerk stated since there are new members on the Board, she invited Chris Wood from Hunt Engineers to come and give a presentation of the Water Project. She stated this project was brought to the Village Board and was approved to proceed in 2018.

Chris Wood presented a handout to the Board showing the scope of the Water Improvement Project. The handout highlighted all the water mains throughout the village that would be replaced due to their age, size, or condition. Dave Cowles stated there has been substantial water loss in the village for many years and it’s only getting worse. Chris Wood stated the total project costs are estimated to be a little over $5,000,000. The village applied and was awarded a WIIA Grant in the amount of $3,000,000. He stated we could look at a CDBG Grant for up to 1,000,000, however, we would need to be at least 51% low-moderate income for entire village. At this time, we are 42%. We would need to do a village-wide survey of residents to see if we could get to 51%, however, the estimated cost to do that would be $15,000 with no guaranty of the results. Trustee Sinsabaugh commended Plant Operator Roney and the Board of Water Commissioners for their work on this project, which he feels is way overdue. Other Trustees agreed.

**Approval of Minutes:** Trustee Correll moved to approve the Minutes of January 26, 2021 as presented. Trustee Aronstam seconded the motion, which carried unanimously.

**Department Reports:** The clerk submitted department reports from Code Enforcement, and Recreation. Code Officer Robinson stated that things are slow this time of year, but have ordered over 30 sidewalks to be cleared and billed back to owner. Trustee Aronstam stated he and Recreation Director Shaw has been working with the School and County with some sports. These programs are doing well and all guidelines are being followed.

**Treasurer's Reports:** Clerk Treasurer Wood presented the following financial reports:

General Fund 1/1/21 – 1/31/21

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 238,304.02 | Current Revenues | 63,155.67 |
| Deposits | 265,829.31 | Year to Date Revenue | 2,724,889.05 |
| Disbursements | -287,506.40 | Current Expenditures | 283,373.68 |
| Ending Balance | 216,626.93 | Year to Date Expended | 2,135,544.90 |

\*General Capital Reserve Fund, $166,014.97

Cemetery Fund 1/1/21 – 1/31/21

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 35,557.63 | Current Revenues | 1,709.51 |
| Deposits | 1,701.52 | Year to Date Revenue | 51,373.05 |
| Disbursements | -225.95 | Current Expenditures | 225.95 |
| Ending Balance | 37,033.10 | Year to Date Expended | 35,583.84 |

\*Perpetual Care Fund $33,678.49

Capital Projects Fund 1/1/21 – 1/31/21

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Glen Park | WWTP Upgrade | Water Project | Restore NY |
| Beginning Balance | -86,350.09 | 732,578.95 | 207,144.10 | 379.98 |
| Deposits/Debits | 0.00 | 8,692.67 | 0.00 | 0.00 |
| Disbursements/Credits | -1,176.36 | 0.00 | 0.00 | 0.00 |
| Ending Balance | -86,350.09 | 741,271.62 | 207,144.10 | 379.98 |

\*Total Capital Projects Fund Balance $862,065.63

Loan Programs 1/1/21 – 1/31/21

|  |  |  |  |
| --- | --- | --- | --- |
| Business Loans |  | Rehab Loans | Balances |
| Beginning Balance | 47,462.95 | Beginning Balance | 5,299.86 |
| Deposits | 1,008.55 | Deposits | 935.84 |
| Disbursements | -162.71 | Disbursements | -744.05 |
| Ending Balance | 48,308.79 | Ending Balance | 5,491.65 |
| Money Market/Savings | 128,581.13 | MM/Savings Balance | 170,306.66 |
| Due from CP/Glen Park | 60,000.00 |  | 0.00 |
| Total Fund Balance | 236,889.92 | Total Available Balance | 175,798.31 |

*\*outstanding loans $19,729.07 \*outstanding loans $30,743.36*

**Revenue Status Report:** The clerk submitted a report showing year-to-date revenues for January 2020 vs. January 2021. The largest deficit is court fines of -13,457.

|  |  |  |  |
| --- | --- | --- | --- |
| Month | YTD Previous Year YYyearYeYearYear | YTD Current Year | Current Status |
| August | 143,270.97 | 128,300.65 | -14,970.32 |
| September | 185,326.67 | 177,700.15 | -7,626.52 |
| October | 257,806.33 | 244,691.69 | -13,144.64 |
| November | 321,595.21 | 299,160.80 | -22,434.41 |
| December | 366,388.21 | 343,128.95 | -23,259.26 |
| January | 412,751.46 | 402,284.62 | -10,466.84 |

**Finance Committee/Approval of Abstract:** Trustee Sinsabaugh presented the following abstracts, and moved to approve all payments: General Fund $18,659.70; and Recreation Commission $118.50. Trustee Havens seconded the motion, which carried unanimously.

**Tioga County Update:** Tioga County Legislator Dennis Mullen stated sales tax revenue is doing better than expected, but it’s down 3.1% from last year. He stated Governor Cuomo wants to cut 20% from State Aid AIM Payments, but that hasn’t happened yet. The 911 income is down due to less landlines to tax. Enhanced 911 service is coming and will be able to tax cell phone lines. Mr. Mullen also stated the response from the county was favorable regarding our wing area at Village Hall. He will be scheduling a walk-through soon.

**Glen Park Project Update:** Mayor Ayres stated he talked with the donor that wants to fund construction of a stage at Glen Park. He will send $10,000 now and the rest soon.

**Village Hall Repairs:** Trustee Correll stated he is looking at LED lighting.

**Health Emergency Plan:** Mayor Ayres stated he is still working on the draft plan and hopes to have it at the next meeting.

**Police Reform Initiative:** Trustee Sinsabaugh stated the committee is meeting tomorrow and should be reviewing the survey results.

**Proposed Local Law: Amending Parking on Waverly Street:** Attorney Keene presented a draft local law to remove the No Parking between 2:00-6:00 a.m. on both sides of Waverly Street, from Elizabeth Street to Chemung Street. Trustee Burns moved to schedule a Public Hearing on February 23, 2021 at 6:30 p.m. and the clerk to advertise the same. Trustee Havens seconded the motion, which carried unanimously.

**Approval of 2018 CDBG Abstract:** The clerk presented the abstract for Drawdown #17 in the amount of $3,200. Trustee Havens moved to approve the bills as presented. Trustee Burns seconded the motion, which carried unanimously.

**2021 Poll Site Agreement:** The clerk presented a poll site agreement from Tioga County Board of Elections for elections to be held, as follows: State/Local Primary on June 22, 2021, and the General Election on November 2, 2021. These elections will be conducted in our community room, and will accommodate three polling districts. Trustee Correll moved to approve the agreement as presented. Trustee Sinsabaugh seconded the motion, which carried unanimously.

**Proposed Local Law: NYS Tax Cap Override:** The clerk submitted proposed local law Authoring a property tax levy in excess of the limit established in General Municipal Law §3-c. Trustee Sinsabaugh moved to schedule a public hearing for February 23, 2021 at 6:15 p.m. and the clerk to advertise the same. Trustee Burns seconded the motion, which carried unanimously.

**Equipment Reserve Fund:** The clerk stated there has been interest of some Board Member to establish a Reserve to fund the purchases of vehicles and equipment. The clerk explained how to establish and use a reserve, and the permissive referendum action needed when purchasing. The Board was interested in establishing an Equipment Reserve Fund. The clerk stated she would have a resolution for the next meeting.

**NYRWA Training in Community Room:** The clerk stated New York Rural Water Association (NYRWA) has request use of our Community Room for training in April. There will be around 20 people, including our employees, taking the training. They will abide by all Covid guidelines. Trustee Sweeney moved to approve NYRWA’s use of the Community Room as presented, and to waive the rental fee as it will benefit our employees. Trustee Correll seconded the motion, which carried unanimously.

**Mayor/Board Comments:** No comments were offered.

**Adjournment**: Trustee Aronstam moved to adjourn at 7:47 p.m. Trustee Havens seconded the motion, which carried unanimously.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Michele Wood, Clerk Treasurer

**PUBLIC HEARING HELD BY THE BOARD OF**

**TRUSTEES OF THE VILLAGE OF WAVERLY AT 6:15 P.M.**

**ON TUESDAY, FEBRUARY 23, 2021 IN THE TRUSTEES' ROOM,**

**VILLAGE HALL FOR THE PURPOSE OF PUBLIC COMMENT**

**REGARDING PROPOSED LOCAL LAW 1-2021, AUTHORIZING**

**A PROPERTY TAX LEVY IN EXCESS OF THE LIMIT ESTABLISHED**

**IN GENERAL MUNICIPAL LAW §3-c**

Mayor Ayres declared the hearing open at 6:15 p.m. and directed the clerk to read the notice of public hearing.

**Roll Call:** Trustees Present: Andrew Aronstam, Kyle Burns, Jerry Sinsabaugh, Keith Correll, Kevin Sweeney, and Mayor Patrick Ayres

Also present: Clerk Treasurer Michele Wood, and Attorney Keene

Mayor Ayres stated the budget committee and department heads are doing their due diligence to keep the budget as low as possible, however, it may be necessary to budget in excess of 2% in order not to jeopardize services. Mayor Ayres opened the floor for comments.

With no one wishing to comment, Mayor Ayres closed the hearing at 6:25 p.m.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Michele Wood, Clerk/Treasurer

**PUBLIC HEARING HELD BY THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY AT 6:15 P.M.**

**ON TUESDAY, FEBRUARY 23, 2021 IN THE TRUSTEES' ROOM OF**

**VILLAGE HALL FOR THE PURPOSE OF PUBLIC COMMENT**

**REGARDING PROPOSED LOCAL LAW TO AMEND**

**CHAPTER 140-45: VEHICLES AND TRAFFIC, PARKING**

**PROHIBITED AT CERTAIN HOURS**

Mayor Ayres declared the hearing open at 6:30 p.m. and directed the clerk to read the notice of public hearing.

**Roll Call:** Trustees Present: Andrew Aronstam, Kyle Burns, Jerry Sinsabaugh, Keith Correll, Kevin Sweeney, and Mayor Patrick Ayres

Also present: Clerk Treasurer Michele Wood, and Attorney Keene

Mayor Ayres summarized the changes in the law. This would allow parking on the West side of Waverly Street from Elizabeth Street to Chemung Street with no prohibited time.

With no one wishing to comment, Mayor Ayres closed the hearing at 6:40 p.m.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Michele Wood, Clerk/Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:40 P.M.**

**ON TUESDAY, FEBRUARY 23, 2021 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:40 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Trustees Present: Andrew Aronstam, Kyle Burns, Jerry Sinsabaugh, Keith Correll, Kevin Sweeney, and Mayor Patrick Ayres

Also present: Clerk Treasurer Michele Wood, and Attorney Keene

**Public Comments:** There were no comments offered.

**Letters and Communications:** The clerk read a letter from Shelly Meldrum, Church Secretary of the Waverly First Baptist Church, requesting permission to use Muldoon Park for their sunrise service at 6:30 a.m. on Sunday, April 4, 2021. The service will last for one hour. Trustee Sinsabaugh moved to approve the request as presented, and to waive rental fees. Trustee Burns seconded the motion, which carried unanimously.

The clerk stated the Recreation truck (VIN# 1FTRX12W08FA48682) sold for $1,240 through State Line Auto Auction. The proceeds were deposited to the General Fund.

**Approval of Minutes:** Trustee Sweeney moved to approve the Minutes of February 9, 2021 as presented. Trustee Sinsabaugh seconded the motion, which carried unanimously.

**Department Reports:** The clerk submitted department reports from the Police Department.

**Finance Committee/Approval of Abstract:** Trustee Sinsabaugh presented the following abstracts, and moved to approve all payments: General Fund Abstract $45,419.22; Cemetery $12.25; and Recreation Commission $70.00. Trustee Burns seconded the motion, which carried unanimously.

**Glen Park Project:** Mayor Ayres stated we received $10,000 from a private donation for the construction of a stage, and they will send another $10,000 in March.

**Village Hall Repairs:** Trustee Correll stated he is looking at LED lighting and has no update for now.

**Police Reform Initiative Plan:** Mayor Ayres stated the plan is near complete. This will be presented at the March 9th Meeting. He stated this was a collaborated effort by staff, administration, and residents. He thanked everyone that was involved in the process.

**Proposed Local Law: Tax Cap Override:** Trustee Aronstam moved to adopt the proposed local law (01-2021) as follows:

A Local Law Authorizing a Property Tax Levy in Excess of the Limit

**Established in the General Municipal Law §3-c**

Section 1. Legislative Intent

It is the intent of this local law to allow the Village of Waverly to adopt a budget for the fiscal year commencing June 1, 2021 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government’s governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty (60%) percent of said governing body.

Section 3. Tax Levy Limit Override

The Board of Trustees of the Village of Waverly, County of Tioga, is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2020 that requires a real property tax levy in excess of the amount otherwise prescribed in the General Municipal Law §3-c.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to controversy in which such judgment or order shall be rendered.

Section 5. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

Trustee Correll seconded the motion, which led to a roll call vote and resulted as follows:

Ayes – 6 (Sinsabaugh, Aronstam, Correll, Burns, Sweeney, Ayres)

Nays – 0

Absent – 1 (Havens)

The motion carried.

**Proposed Local Law: Amending Chapter 140-45, Schedule XIII, Parking Prohibited at Certain Hours:**  Trustee Burns moved to adopt the proposed local law (02-2021), as follows:

In accordance with the provisions of § 140-18, no person shall park a vehicle between the hours listed upon any of the following described streets or parts of streets:

## Delete the Following:

| **Name of Street** | **Side** | **Hours/Days** | **Location** |
| --- | --- | --- | --- |
| Waverly Street | Both | 2:00AM TO 6AM | From Broad Street north to Chemung Street |

Add the Following

| **Name of Street** | **Side** | **Hours/Days** | **Location** |
| --- | --- | --- | --- |
| Waverly Street | Both | 2:00AM TO 6AM | From Broad Street north to Elizabeth Street |

Trustee Correll seconded the motion, which led to a roll call vote and resulted as follows:

Ayes – 6 (Sinsabaugh, Aronstam, Correll, Burns, Sweeney, Ayres)

Nays – 0

Absent – 1 (Havens)

The motion carried.

**Establish Reserve Fund for Equipment/Vehicles:** Trustee Burns offered the following resolution, and moved its adoption:

**Resolution to Establish a Capital Reserve Fund to Finance a Type of Equipment**

RESOLVED, that pursuant to Section 6-c of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the “Capital Equipment Reserve Fund” (hereinafter “Reserve Fund”). The purpose of this Reserve Fund is to accumulate moneys to finance the cost of a type of equipment. The type of equipment to be financed from the Reserve Fund is the acquisition of vehicles and equipment.

The chief fiscal officer (treasurer) is hereby directed to deposit and secure the moneys of the Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The chief fiscal officer may invest the moneys in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of the Village of Waverly. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The chief fiscal officer shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains and losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund, and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Board a detailed report of the operation and condition of the Reserve Fund.

Except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and such additional actions or proceedings as may be required by Section 6-c of the General Municipal Law or any other law, including a permissive referendum if required by subdivision 4 of Section 6-c.

Trustee Correll seconded the motion, which led to a roll call vote and resulted as follows:

Ayes – 6 (Sinsabaugh, Aronstam, Correll, Burns, Sweeney, Ayres)

Nays – 0

Absent – 1 (Havens)

The motion carried.

**Transfer to Finance the Equipment Reserve Fund:** Trustee Aronstam moved to transfer $100,000 from the General Fund unrestricted fund balance to the General Fund Equipment Reserve. Trustee Correll seconded the motion, which led to a roll call vote and resulted as follows:

Ayes – 6 (Sinsabaugh, Aronstam, Correll, Burns, Sweeney, Ayres)

Nays – 0

Absent – 1 (Havens)

The motion carried.

**Trane Service Agreement:** Mayor Ayres requested time to review the agreement. The Board agreed.

**Mayor/Board Comments:** Mayor Ayres stated there have been over 40 sidewalks cleared of snow/ice by the village and billed to the owners.

**Executive Session:** Trustee Sinsabaugh moved to enter Executive Session at 7:10 p.m. to discuss work a contract for land use, and a personnel request. Trustee Correll seconded the motion, which carried unanimously.

Trustee Aronstam moved to enter regular session at 7:40 p.m. Trustee Correll seconded the motion, which carried unanimously.

**Adjournment**: Trustee Sweeney moved to adjourn at 7:41 p.m. Trustee Sinsabaugh seconded the motion, which carried unanimously.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, MARCH 9, 2021 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

**Call to Order:** Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Trustees present: Kevin Sweeney, Keith Correll, Charles Havens, Kyle Burns, Jerry Sinsabaugh, Andrew Aronstam, and Mayor Patrick Ayres

Also present: Clerk Treasurer Michele Wood, Police Chief Dan Gelatt, Code Officer Chris Robinson, Tioga County Legislator Dennis Mullen, and Attorney Betty Keene

**Presentation of the Police Reform & Reinvention Collaborative Plan:** Police Chief Gelatt stated in June 2020, New York State mandated every police department work on a police reform plan. He stated we established a work group to cover many facets of our community. The work group did surveys, and looked for ways of improving our police department. The surveys offered positive responses. The department will have increased training in de-escalation, communications, use of force, and anti-bias training. The department will partner with the school for Social/Emotional Learning. There will be a School Resource Officer at the school. The SRO was the most wanted and most positive response from the surveys. This also helps promote police work to graduating seniors.

Chief Gelatt stated emotional and physical well-being of our officers remain a high priority. The work group will continue to evaluate this plan annually. Chief Gelatt stated School Superintendent Eric Knolles and the rest of the work group were very helpful. They all learned a lot from this process. Mayor Ayres thanked all the people that worked on this plan.

**Village of Waverly Police Reform and Reinvention Plan Resolution:** Trustee Sweeney offered the following resolution, and moved its adoption:

WHEREAS, in June of 2020, Governor Andrew Cuomo signed an Executive Order requiring local governments to perform a comprehensive review of current police force deployments, strategies, policies, procedures and practices, and develop an improvement plan, and

WHEREAS, the Village of Waverly formed a Police Reform and Reinvention Collaborative workgroup consisting of local stakeholders to undertake the process of reviewing the practices and deployment of the Waverly Police Department, and

WHEREAS, the Police Reform and Reinvention Collaborative workgroup has created a plan for the improvement of the Waverly Police Department, and

WHEREAS, the Police Reform and Reinvention Draft Plan was offered to the public for comment and feedback, and

RESOLVED, that the Village of Waverly, Board of Trustees, adopts the Village of Waverly Police Reform and Reinvention Plan and resolved to execute the actions included in the plan.

Trustee Sinsabaugh seconded the motion, which led to a roll call vote and resulted as follows:

Ayes – 7 (Sinsabaugh, Aronstam, Correll, Burns, Sweeney, Havens, Ayres)

Nays – 0

The motion carried.

**Public Comment:** Ron Keene, 7 Elliott Street, stated the Board should to be more transparent with the finances for the Glen Park Project. Mayor Ayres stated he could file a FOIL request for any information he was looking for.

**Letters and Communications:** The clerk read a letter from Mary Sobel, of the Red Door Thrift Store, requesting a street closure for a Contemporary Christian Block Party event on May 21, 2021 between the hours of 6:00 p.m. and 9:00 p.m. They will follow All Covid-19 Guidelines. She requested Park Avenue be closed between Broad Street and DePumpo Lane. The clerk stated Chief Gelatt reviewed and had no concerns. Trustee Sweeney moved to approve the street closure as requested, contingent upon submittal of proper insurance. Trustee Sinsabaugh seconded the motion, which carried unanimously.

**Department Reports:** The clerk submitted department reports from Code Enforcement, and Recreation. Code Officer Robinson stated the owners of 460 Broad Street have hired a property maintenance company and someone will be onsite at all times. He stated they have already started cleaning out the property. He also stated he has filed the annual report to the state and he will have copies.

Trustee Aronstam stated all upcoming programs have been submitted to Tioga County for review. There have been no documented Covid-19 cases transmitted amongst kids programs. Recreation Director Shaw is working on the summer program.

**Treasurer's Reports:** Clerk Treasurer Wood presented the following financial reports:

General Fund 2/1/21 – 2/28/21

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 216,626.93 | Current Revenues | 51,858.04 |
| Deposits | 55,224.06 | Year to Date Revenue | 2,776,747.09 |
| Disbursements | -180,021.52 | Current Expenditures | 174,126.47 |
| Ending Balance | 91,829.47 | Year to Date Expended | 2,308,679.68 |

\*General Capital Reserve Fund, $166,040.44

\*Equipment Reserve Fund $100,002.19

Cemetery Fund 2/1/21 – 2/28/21

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 37,033.10 | Current Revenues | 8.72 |
| Deposits | 1.41 | Year to Date Revenue | 51,381.77 |
| Disbursements | -225.93 | Current Expenditures | 225.93 |
| Ending Balance | 36,808.58 | Year to Date Expended | 35,809.77 |

\*Perpetual Care Fund $33,678.49

Capital Projects Fund 2/1/21 – 2/28/21

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Glen Park | WWTP Upgrade | Water Project | Restore NY |
| Beginning Balance | -86,350.09 | 741,271.62 | 207,144.10 | 379.98 |
| Deposits/Debits | 218,870.33 | 0.00 | 0.00 | 0.00 |
| Disbursements/Credits | 0.00 | -418.50 | -84,084.15 | 0.00 |
| Ending Balance | 132,520.24 | 740,853.12 | 123,059.95 | 379.98 |

\*Total Capital Projects Fund Balance $996,433.31

Loan Programs 2/1/21 – 2/28/21

|  |  |  |  |
| --- | --- | --- | --- |
| Business Loans |  | Rehab Loans | Balances |
| Beginning Balance | 48,308.79 | Beginning Balance | 5,491.65 |
| Deposits | 1,043.35 | Deposits | 809.31 |
| Disbursements | -10.53 | Disbursements | 0.00 |
| Ending Balance | 49,341.61 | Ending Balance | 6,300.96 |
| Money Market/Savings | 128,600.85 | MM/Savings Balance | 170,332.78 |
| Due from CP/Glen Park | 60,000.00 |  | 0.00 |
| Total Fund Balance | 237,942.46 | Total Available Balance | 176,633.74 |

*\*outstanding loans $18,741.47 \*outstanding loans $29,687.00*

**Revenue Status Report:** The clerk submitted a report showing year-to-date revenues for February 2020 vs. February 2021. The largest deficits are court fines of $12,964.74 and interest revenues of $7,054.53.

|  |  |  |  |
| --- | --- | --- | --- |
| Month | YTD Previous Year YYyearYeYearYear | YTD Current Year | Current Status |
| August | 143,270.97 | 128,300.65 | -14,970.32 |
| September | 185,326.67 | 177,700.15 | -7,626.52 |
| October | 257,806.33 | 244,691.69 | -13,144.64 |
| November | 321,595.21 | 299,160.80 | -22,434.41 |
| December | 366,388.21 | 343,128.95 | -23,259.26 |
| January | 412,751.46 | 402,284.62 | -10,466.84 |
| February | 508,394.25 | 486,906.94 | -21,487.31 |

**Finance Committee/Approval of Abstract:** Trustee Sinsabaugh presented the following abstracts, and moved to approve all payments: General Fund $10,839.72; and Recreation Commission $1,962.98. Trustee Burns seconded the motion, which carried unanimously.

**Capital Projects Abstract:** Mayor Ayres stated the village is withholding payment of $4,940.08 from Walsh & Sons Construction’s retainage due to their work not being completed on time and extra costs were accrued. The clerk submitted a final payment application for Walsh & Son. Trustee Havens moved to approve the following expenditures be paid from the Capital Projects Fund. Trustee Correll seconded the motion, which carried unanimously.

|  |  |  |  |
| --- | --- | --- | --- |
| Vendor | Project | Invoice | Amount |
| Walsh & Sons | Glen Park Project | 5 Final | 10,230.77 |
| Total |  |  | $ 10,230.77 |

**Tioga County Update:** Tioga County Legislator Dennis Mullen stated he has received significant positive feedback from the county departments regarding use of our Village Hall Wing. Tioga County only interested in a long-term lease, if they decide to utilize the space.

Mr. Mullen stated local governments were included in the latest federal stimulation package. The Village of Waverly should receive $767,204. He stated he thought that would be paid at 50% this year and 50% next year, but was unsure of the timeline.

**Glen Park Project Update:** Mayor Ayres stated he will be meeting with Delta Engineers and Robinson Contracting to remobilize and finish the work in the park. The Village DPW has cleared out park and cemetery for access.

**Village/County IT Update:** The clerk stated the phone system migration is being scheduled for March 17th, and the county is trying to get our computer/IT services migrated by the end of March.

**Village Hall Repairs:** Trustee Correll stated he is looking at street lighting and is trying to communicate with Penelec for information. He will update the Board when he gets the information.

**Village Hall HVAC/Trane:** Mayor Ayres stated he has a conference call scheduled with Trane to review the cost and services provided in their maintenance agreement.

**Health Emergency Plan:** Mayor Ayres stated he is still working on the draft plan and hopes to have it at the next meeting.

**Approval of 2018 CDBG Abstract:** The clerk presented the abstract for Drawdown #18 in the amount of $27,367.77. Trustee Sinsabaugh moved to approve the bills as presented. Trustee Correll seconded the motion, which carried unanimously.

**Electronics Recycling Event:** The clerk stated she is gathering information on having an electronics recycling event in the village. She is communicating with a company from New Jersey that does this. She stated she if working on the logistics at this time. The Board was in support of having the event.

**2020-2021 Tentative Budget / Public Hearing:** The clerk stated the 2021-2022 Tentative Budget will be available at the Clerks’ Office and on the website for review on March 20th. Trustee Sinsabaugh stated this was a tough budget and it was stripped down to the bare minimum.

**Mayor/Board Comments:** Trustee Sinsabaugh stated the DPW is looking to replace a Chevrolet Dump Truck with a new dump truck as the warranties have expired. He stated a new one would be approximately $72,000 through Onondaga County’s contract. He also stated we would need to sell our truck ourselves, however, the estimated sale price would be around $35,000. He would like to avoid getting to a point where all trucks would need to be replaced at the same time.

Mayor Ayres stated that Ralph Myer is looking for a Waverly representative to be on the Task Force for Fireworks. This task force is made up on representatives throughout the valley area.

**Adjournment**: Trustee Havens moved to adjourn at 8:05 p.m. Trustee Sinsabaugh seconded the motion, which carried unanimously.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:40 P.M.**

**ON TUESDAY, MARCH 23, 2021 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:40 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Trustees Present: Andrew Aronstam, Kyle Burns, Keith Correll, and Mayor Patrick Ayres

Also present: Clerk Treasurer Michele Wood

**Public Comments:** There were no comments offered.

**Letters and Communications:** The clerk read a letter from John Palmer, President of the Carantouan Greenway, asking for village support to erect a sign at the start of the *Forbidden Path* trail. He is also working with NYS DOT. He stated they would purchase the sign, and asked if the village would install and insure it. Mayor Ayres stated he would like to discuss this with our attorney and insurance agent.

**Approval of Minutes:** Trustee Aronstam moved to approve the Minutes of February 23, 2021 as presented. Trustee Correll seconded the motion, which carried unanimously.

**Finance Committee/Approval of Abstract:** Trustee Burns presented the following abstracts, and moved to approve all payments: General Fund Abstract $71,669.83; and Cemetery $12.56. Trustee Correll seconded the motion, which carried unanimously.

**Glen Park Project:** Mayor Ayres stated the contractor will be back on site on Monday after Easter. Work must be done by Memorial Day. He also stated that we have received a second check for $10,000 from the benefactor for the stage construction.

**Storm Drain Replacement Project:** The clerk stated we were waiting on some paperwork to be approved by the state. We were able to file for the release of grant funds, in the amount of $125,000 today. The clerk stated she is unsure how long it will be before we received the funds.

**County IT Update:** The clerk stated the new phone system is installed and working. Tioga County is planning to have the new computers in and servers switched over to them in a couple of weeks.

**Village Hall Repairs:** Trustee Correll stated he has been trying to contact Penelec regarding the street lights. The clerk stated she would give him a better contract person/number.

Mayor Ayres stated he and the clerk had a conference call with Cody Buterbaugh, Project Manager with Trane, to discuss the annual maintenance agreement and the temperature issues at village hall. He will be making some changes in the agreement, and will be coming down to do a walk through and evaluate the HVAC system at Village Hall.

**Health Emergency Plan:** Mayor Ayres stated he is still working on the draft plan and hopes to have it at the next meeting.

**Approval of 2018 CDBG Abstract:** The clerk presented the abstract for Drawdown #19 in the amount of $23,756.00. Trustee Burns moved to approve the bills as presented. Trustee Aronstam seconded the motion, which carried unanimously.

**2021-2022 Tentative Budget / Public Hearing:** Mayor Ayres stated the 2021-2022 Tentative Budget is available at the Clerks’ Office for review. Trustee Burns moved to schedule a Public Hearing on April 13, 2021 at 6:15 p.m. to hear comments in regards to the 2021-2022 Tentative Budget, and the clerk to advertise the same. Trustee Aronstam seconded the motion, which carried unanimously.

**Garage Damage at East Waverly Park:** Trustee Aronstam stated the garage at East Waverly Park sustained damage from the nearly 4’ of snow in December. The facia, soffit, and gutters were torn down. He submitted the following quotes for repair: Jim Hammond $1,735, and VHM Construction $2,325. Trustee Aronstam moved to hire Jim Hammond to repair the garage as presented, in the amount of $1,735. Trustee Burns seconded the motion, which carried unanimously. The clerk stated we can file an insurance claim, however, our deductible is $1,000.

**Political Signs:** Mayor Ayres stated he has received complaints from residents regarding how long someone can keep a political sign up, and the fowl words on some of them. He reached out to Attorney Keene for her feedback. She forwarded information from the NYS Office of General Counsel regarding political signs in local regulation, and the US Supreme Court’s decision. Political Speech is different than commercial speech and cannot be regulated for content the same way that commercial speech is able to be limited when it comes to signs. As an officer of the court, she felt it would not be appropriate or constitutional to try to enforce our code regarding political signs.

**DPW Trucks:** Mayor Ayres stated, after discussion with DPW Lead Pond, we have two dump trucks now out of warranty. He recommended we replace both trucks. The estimated resale value of these trucks is around $35,000 each. He submitted pricing for 2021 International CV515 trucks with MDI body package at $72,378 each, on the Onandaga County Contract (#ONGOV-106-19). He also stated the new trucks would be approximately six month for delivery. Trustee Burns stated concern that if we buy two new trucks together, they will go out of warranty at the same time again in five years. He felt we should stagger the purchases as to not be in the same predicament again. Further discussion followed. Trustee Aronstam moved to purchase two trucks from Stadium International (Navistar) through the Onandaga County Contract (#ONGOV-106-19), as presented. Trustee Correll seconded the motion, which led to a roll call vote and resulted as follows:

Ayes – 4 (Aronstam, Correll, Burns, Ayres)

Nays – 0

Absent – 3 (Havens, Sinsabaugh, Sweeney)

The motion carried.

**Pavilion/Community Rentals:** Mayor Ayres would like to open rentals back up for the Community Room. He stated we have had few rentals for the pavilions throughout the past year. Trustee Aronstam moved to allow pavilion/Community Room rentals if persons follow the Department of Health COVID-19 Guidelines. The clerk stated there is no village oversight during rentals. Mayor Ayres stated the guidelines must be posted and he would discuss with Recreation Director Shaw. Trustee Correll seconded the motion, which carried unanimously.

**Fair Housing Month:** Trustee Aronstam offered the following resolution, and moved its adoption:

WHEREAS, in accordance with the Title VIII Fair Housing Policy of the Civil Rights Act of 1968 and the Fair Housing Amendments Act of 1988 and,

WHEREAS, the month of April 2021 has been designated by the U.S. Department of Housing and Urban Development’s Office of Fair Housing and Equal Opportunity as Fair Housing Month.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of the Village of Waverly hereby declares and proclaims April 2021 as Fair Housing Month in the Village of Waverly.

Trustee Correll seconded the motion, which carried unanimously.

**NYS Fiscal Stress Report:** Mayor Ayres submitted the annual NYS Fiscal Stress Report. He was pleased to announce that the Village of Waverly’s score was 0. The range of fiscal stress is:

0 - 44.9 No Designation

45 – 54.9 Susceptible Stress

55 – 64.9 Moderate Stress

65 – 100.0 Significant Stress

**Reorganization Meeting:** Trustee Burns moved to schedule the Reorganization Meeting for Monday, April 5, 2021 at 6:30 p.m. Trustee Aronstam seconded the motion, which carried unanimously.

**Mayor/Board Comments:** Trustee Aronstam stated Waverly Recreation will be having an Easter Egg Hunt, however, it will be split into 3 areas (within East Waverly Park), with slightly different times so they aren’t all at the same time. Due to Covid-19 regulations, there is a limit of 50 kids at one time. Participants will have to pre-register. They will also have extra bags for those who could not register.

Mayor Ayres thanked Trustee Charlie Havens for his service on the Board and his commitment to village residents. The Board concurred.

**Adjournment**: Trustee Burns moved to adjourn at 7:40 p.m. Trustee Correll seconded the motion, which carried unanimously.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Michele Wood, Clerk Treasurer

**REORGANIZATION MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M. ON MONDAY,**

**APRIL 5, 2021 IN THE TRUSTEES’ ROOM, IN THE VILLAGE HALL**

Present were Trustee Kyle Burns, Trustee-Elect Andrew Aronstam, Trustee-Elect Jerry Sinsabaugh, Trustee-Elect Kasey Traub, and Mayor-Elect Patrick Ayres

Also Present: Clerk Treasurer Michele Wood, and Attorney Betty Keene

**Call to Order:** Mayor-Elect Ayres called the meeting to order at 6:30 p.m.

**Oaths of Office:**  Clerk Treasurer Wood administered the Oaths of Office to Mayor-Elect Patrick Ayres, and Trustees-Elect: Andrew Aronstam, Jerry Sinsabaugh, and Kasey Traub

**Mayor’s Appointments:** The following appointments were made by Mayor Ayres. Trustee Sinsabaugh moved to approve the appointments as presented. Trustee Burns seconded the motion, which carried unanimously.

|  |  |  |
| --- | --- | --- |
| **Appointee** | **Office** | **Term/Years** |
| Michele Wood | Clerk Treasurer | 2 |
| Trustee Andrew Aronstam | Deputy Mayor | 2 |
| Betty Keene | Attorney | 1 |
| Kerri Hazen | Deputy Clerk Treasurer | 1 |
| Chris Robinson | Code Officer | 1 |
| Lynette Nickels | Justice Clerk | 1 |
| David Boland | Justice (Associate) | 1 |
| Ronald Keene | Cemetery Coordinator | 1 |
| Margaret Prinzi | Crossing Guard | 1 |
| Teresa Fravel | Crossing Guard | 1 |
| Thomas McLean | Crossing Guard | 1 |
| Bill Kraus | Planning Board | 5 |
| John Cheresnowsky | Recreation Commission | 5 |
| Angelo Sisto | Board of Water Commissioners | 5 |
| James Deibler | Board of Sewer Commissioners | 5 |
| Kyle McDuffee | Zoning Board of Appeals | 3 |
| The Morning Times | Official Publication | 1 |
| Chemung Canal Trust, and Chase Bank | Official Depositories | 1 |
| Trustee's Regular Meeting | 2nd Tuesday @ 6:30 p.m. | 1 |

Check Signature Resolution: Trustee Sinsabaugh offered the following resolution and moved its adoption:

RESOLVED, that checks drawn on the Village Funds be payable on signatures of two out of the four of the following persons: Clerk Treasurer Michele Wood, Deputy Clerk Treasurer Kerri Hazen, Mayor Patrick Ayres, and Deputy Mayor Andrew Aronstam. Trustee Burns seconded the motion, which carried unanimously.

**Committee Appointments:**

|  |  |  |  |
| --- | --- | --- | --- |
| Police | Sinsabaugh |  |  |
| Street | Correll |  |  |
| Buildings and Grounds | Correll | Sinsabaugh |  |
| Recreation | Aronstam |  |  |
| Sewer | Sweeney |  |  |
| Water | Traub |  |  |
| Planning | Burns |  |  |
| Cemetery | Sinsabaugh |  |  |
| Tioga County (COG) | Ayres |  |  |
| Finance | Sinsabaugh | Burns | Traub |
| Merchants | Burns | Traub |  |
| Town of Barton Liaison | Sinsabaugh | Traub |  |

**Adjournment**: Trustee Sinsabaugh moved to adjourn at 6:38 p.m. Trustee Traub seconded the motion, which carried unanimously.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Michele Wood, Clerk Treasurer

**PUBLIC HEARING HELD BY THE BOARD OF**

**TRUSTEES OF THE VILLAGE OF WAVERLY AT 6:15 P.M.**

**ON TUESDAY, APRIL 13, 2021 IN THE TRUSTEES' ROOM AT**

**VILLAGE HALL FOR THE PURPOSE OF PUBLIC COMMENT**

**REGARDING THE TENTATIVE 2021-2022 BUDGET**

Mayor Ayres declared the hearing open at 6:15 p.m. and directed the clerk to read the notice of public hearing.

**Roll Call:** Trustees Present: Andrew Aronstam, Kasey Traub, Jerry Sinsabaugh, Kyle Burns, Kevin Sweeney, and Mayor Patrick Ayres

Also present: Clerk Treasurer Michele Wood, Tioga County Legislator Dennis Mullen, and Attorney Betty Keene

Press included Johnny Williams of the Morning Times

Mayor Ayres stated the Budget Committee and the department heads worked diligently under these stressful times. He thanked them for their efforts. He also summarized the budget and opened the floor for comments regarding the 2021-2022 Tentative Budget.

With no one wishing to be heard, Mayor Ayres closed the hearing at 6:25 p.m.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, APRIL 13, 2021 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m. and led in the Invocation of the Pledge of Allegiance.

**Roll Call:** Trustees Present: Andrew Aronstam, Kasey Traub, Jerry Sinsabaugh, Kyle Burns, Kevin Sweeney, and Mayor Patrick Ayres

Also present: Clerk Treasurer Michele Wood, Tioga County Legislator Dennis Mullen, and Attorney Betty Keene

Press included Johnny Williams of the Morning Times

**Tioga County Update:** Tioga County Legislator Mullen stated that recreation use of marijuana has been legalized in New York State. Each municipality has the option of having retail sales and/or manufacturing within their borders. The state restrictions are the same as tobacco and vaping. Mr. Mullen stated the county just renewed a 2-year lease for the Mental Hygiene Offices, which will start on August 1st. He has gotten positive feedback from county officials regarding the use of our Village Hall wing and will schedule a walk-through with them. He also stated that tax foreclosures will begin in May.

**Public Comments:** Margaret Prinzi of 447 Chemung Street stated concern with sidewalks not being cleared of snow and ice in a timely manner.

**Letters and Communications:** The clerk read a letter from Mary Sobel, of the Red Door Thrift Store, requesting a street closure for a Mother’s Day event on May 1, 2021 between the hours of 8:30 a.m. to 5:00 p.m. They will follow All Covid-19 Guidelines. She requested Park Avenue be closed between Broad Street and DePumpo Lane. The clerk stated Chief Gelatt reviewed and had no concerns. Trustee Aronstam moved to approve the street closure as requested, contingent upon submittal of proper insurance. Trustee Sinsabaugh seconded the motion, which carried unanimously.

The clerk read a letter from Shelly Meldrum, of the First Baptist Church, requesting use of Muldoon Park on May 6, 2021 at 12:00 p.m. for a half hour Prayer Service and for anyone who wants to attend. They would not be using the gazebo. Trustee Traub moved to approve the request, and waive rental charges, as presented. Trustee Sweeney seconded the motion, which carried unanimously.

**Approval of Minutes:** Trustee Burns moved to approve the Minutes of March 9, 2021 as presented. Trustee Traub seconded the motion, which carried unanimously.

**Treasurer's Reports:** Clerk Treasurer Wood presented the following financial reports:

General Fund 3/1/21 – 3/31/21

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 91,829.47 | Current Revenues | 145,624.04 |
| Deposits | 500,220.88 | Year to Date Revenue | 2,922,371.13 |
| Disbursements | -191,618.43 | Current Expenditures | 186,576.69 |
| nding Balance | 400,431.92 | Year to Date Expended | 2,495,256.37 |

\*General Capital Reserve Fund, $166,068.64

\*Equipment Reserve Fund $100,019.17

Cemetery Fund 3/1/21 – 3/31/21

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 36,808.58 | Current Revenues | 1,709.79 |
| Deposits | 1,703.11 | Year to Date Revenue | 53,091.56 |
| Disbursements | -227.65 | Current Expenditures | 226.24 |
| Ending Balance | 38,284.04 | Year to Date Expended | 36,036.01 |

\*Perpetual Care Fund $33,678.49

Capital Projects Fund 3/1/21 – 3/31/21

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Glen Park | WWTP Upgrade | Water Project | Restore NY |
| Beginning Balance | 132,520.24 | 740,853.12 | 123,059.95 | 379.98 |
| Deposits/Debits | 10,600.00 | 0.00 | 0.00 | 0.00 |
| Disbursements/Credits | -10,230.77 | -50.00 | 0.00 | 0.00 |
| Ending Balance | 132,889.47 | 740,803.12 | 123,059.95 | 379.98 |

\*Total Capital Projects Fund Balance $996,752.54

Loan Programs 3/1/21 – 3/31/21

|  |  |  |  |
| --- | --- | --- | --- |
| Business Loans |  | Rehab Loans | Balances |
| Beginning Balance | 49,341.61 | Beginning Balance | 6,300.96 |
| Deposits | 222.16 | Deposits | 3,107.34 |
| Disbursements | -1.86 | Disbursements | 0.00 |
| Ending Balance | 49,561.91 | Ending Balance | 9,408.30 |
| Money Market/Savings | 128,622.69 | MM/Savings Balance | 170,361.71 |
| Due from CP/Glen Park | 60,000.00 |  | 0.00 |
| Total Fund Balance | 238,184.60 | Total Available Balance | 179,770.01 |

*\*outstanding loans $18,543.30 \*outstanding loans $26,322.08*

**Revenue Status Report:** The clerk submitted a report showing year-to-date revenues for March 2020 vs. March 2021. The largest deficits are court fines of $16,582.74 (due to courts being closed for 6 months for COVID-19), and interest revenues of $7,142.24.

|  |  |  |  |
| --- | --- | --- | --- |
| Month | YTD Previous Year YYyearYeYearYear | YTD Current Year | Current Status |
| August | 143,270.97 | 128,300.65 | -14,970.32 |
| September | 185,326.67 | 177,700.15 | -7,626.52 |
| October | 257,806.33 | 244,691.69 | -13,144.64 |
| November | 321,595.21 | 299,160.80 | -22,434.41 |
| December | 366,388.21 | 343,128.95 | -23,259.26 |
| January | 412,751.46 | 402,284.62 | -10,466.84 |
| February | 508,394.25 | 486,906.94 | -21,487.31 |
| March | 605,251.36 | 587,844.63 | -17,406.73 |

**Finance Committee/Approval of Abstract:** Trustee Sinsabaugh presented the following abstracts, and moved to approve all payments: General Fund $16,739.54. Trustee Traub seconded the motion, which carried unanimously.

**2021-2022 Tentative Budget Adoption:** The clerk stated the Board of Water Commissioners and the Board of Sewer Commissions have recommended adoption of their respective budgets as submitted. Trustee Sinsabaugh moved to adopt the 2021-2022 Tentative Budget as final. The total budgets are: General Fund $3,138,607; Cemetery Fund $47,300; Water Fund $759,968; and Sewer Fund $1,142,925. Trustee Aronstam seconded the motion, which led to a roll call vote, and resulted as follows:

Ayes – 6 (Traub, Sweeney, Aronstam, Sinsabaugh, Burns, Ayres)

Nays – 0

Absent – 1 (Correll)

The motion carried. The 2021-2021 Budget was adopted as presented.

**Glen Park Update:** Mayor Ayres the footbridge is being built. The paving will be done when the asphalt plants open. He expressed to the contractor that the park must be open by Memorial Day.

**Political Signs:** Mayor Ayres stated he has received complaints regarding political signs still being displayed and that some have vulgar language. Attorney Keene explained that political speech falls under Freedom of Speech in our Constitution, and our local law would not be enforceable. She will further review issues of the vulgar language.

**Water Rental House:** Mayor Ayres submitted a letter from David Cowles, President of the Water Board, stating the Board of Water Commissioner’s recommendation is to demolish the building. This was based on renovations needed to bring the house up to code and in good condition. Renovations would include: new electrical system, new plumbing, new hot water heater, new furnace, new kitchen and bathrooms, new windows and doors, new roof, interior painting, and structural work to repair the porch. The Water Commissioners determined it is too costly and not feasible. They also concluded to sell the property it would need to be sold with two acres, and house sits on a one acre parcel. The commissioners decided losing two acres is risky as it is so close to the reservoir, which could possibly be used as a water source in the future. Attorney Keene also stated the village should not be in the rental business. Discussion followed. Trustee Traub moved to declare the Water House on West Pine Street as surplus property and is no longer needed by the village. Trustee Burns seconded the motion, which led to a roll call vote, and resulted as follows:

Ayes – 5 (Traub, Sweeney, Sinsabaugh, Burns, Ayres)

Nays – 1 (Aronstam)

Absent – 1 (Correll)

The motion carried.

Trustee Burns moved to authorize the Board of Water Commissioners to seek bids for demolition of the Water House and follow all required procedures. Trustee Sinsabaugh seconded the motion, which led to a roll call vote, and resulted as follows:

Ayes – 6 (Traub, Sweeney, Aronstam, Sinsabaugh, Burns, Ayres)

Nays – 0

Absent – 1 (Correll)

The motion carried.

**Carantouan Greenway Sign Request:** Mayor Ayres stated he discussed the sign request with our insurance agent, and he had no concerns. Attorney Keene stated she had no concerns as long as it is approved by the state. Trustee Sweeney moved to approve Carantouan Greenway to place a sign on village property as requested, contingent upon NYS DOT approval and site verification by village. The village will insure the sign. Trustee Traub seconded the motion, which carried unanimously.

**Approval of 2018 CDBG Abstract:** The clerk presented the abstract for Drawdown #20 in the amount of $2,580.88. Trustee Aronstam moved to approve the bills as presented. Trustee Sweeney seconded the motion, which carried unanimously.

**Internet/Security at Parks:** Mayor Ayres stated there has been recent vandalism in the parks and is an ongoing concern. He will be meeting with an internet provider to see if it is possible and feasible to provide internet so we could install security cameras. We could potentially add the benefit of WIFI to people visiting our parks. He has discussed this with Tioga County IT and they would provide us with the cameras and charge us on their billings. He stated the vandalism is too expensive and the parks should be more secure against it. Mayor Ayres will have more information at the next meeting.

**Vehicle Disposition:** Trustee Aronstam moved to declare the following dump trucks as surplus, and no longer needed by the village. They are:

2016 Chevrolet Silverado Dump, VIN# 1GB3KYCG4GZ306174

2016 Chevrolet Silverado Dump, VIN# 1GB3KYCG4GZ305905

Trustee Traub seconded the motion, which led to a roll call vote, and resulted as follows:

Ayes – 6 (Traub, Sweeney, Aronstam, Sinsabaugh, Burns, Ayres)

Nays – 0

Absent – 1 (Correll)

The motion carried.

Trustee Sinsabaugh moved to dispose of both by auction through Manasse Action on May 8, 2021 with a minimum bid of $28,000 each and proceeds to be deposited to the General Fund. Trustee Sweeney seconded the motion, which led to a roll call vote, and resulted as follows:

Ayes – 6 (Traub, Sweeney, Aronstam, Sinsabaugh, Burns, Ayres)

Nays – 0

Absent – 1 (Correll)

The motion carried.

**Mayor/Board Comments:** Trustee Aronstam stated Waverly Recreation Booster Club will be holding a Golf Tournament Fundraising Event on July 10, 2021 Tomasso’s Golf Course. The proceeds will benefit the kids in Waverly Recreation.

Mayor Ayres stated NYCOM is having a ZOOM meeting on April 15th at 10:00 regarding the legalization of marijuana. He recommended Board Members to attend.

Mayor Ayres stated there is new property management at 460 Broad Street and Code Officer Robinson has seen some improvements.

Mayor Ayres stated Rotary has not made any movement to put up new sign near the Chemung Street/Route 220 intersection.

**Adjournment**: Trustee Traub moved to adjourn at 7:45 p.m. Trustee Aronstam seconded the motion, which carried unanimously.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Michele Wood, Clerk Treasurer

**SPECIAL MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:00 P.M.**

**ON THURSDAY, APRIL 15, 2021 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:0 p.m.

**Roll Call:** Trustees Present: Andrew Aronstam, Jerry Sinsabaugh, Kyle Burns, and Mayor Patrick Ayres

Also present: Clerk Treasurer Michele Wood

Press: The clerk notified the Morning Times regarding the meeting and topic.

**Vehicle Disposition:** At the last meeting, a motion was made to approve to dispose of two dump trucks by auction through Manasse Action on May 8, 2021 with a minimum bid of $28,000. The clerk stated she called Manasse’s and was told this is an abosolute auction, which means they will not put a minimum bid on anything. Mr. Manasse told her he felt comfortable with the $28,000, but no guarantees. The clerk stated if the Board still wished to proceed, Manasse’s would like the trucks by April 20th to get them advertised. Discussion followed.

Trustee Aronstam stated Manasse’s has the largest auction around and deals with trucks, and bigger equipment. He feels they would bring in the most bidders. Trustee Aronstam moved to repeal the prior motion made on April 13, 2021 regarding the minimum bid of $28,000 each, and proceed with Manasse Auction without a minimum bid requirement. Trustee Sinsabaugh seconded the motion, which led to a roll call vote, and resulted as follows:

Ayes – 4 (Aronstam, Sinsabaugh, Burns, Ayres)

Nays – 0

Absent – 3 (Traub, Sweeney, Correll)

The motion carried.

**Adjournment**: Trustee Burns moved to adjourn at 6:04 p.m. Trustee Aronstam seconded the motion, which carried unanimously.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, APRIL 27, 2021 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:40 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Trustees Present: Andrew Aronstam, Kyle Burns, Keith Correll, Kevin Sweeney, and Mayor Patrick Ayres

Also present: Clerk Treasurer Michele Wood, Chief Gelatt, Code Officer Chris Robinson, and Attorney Betty Keene

Press: Johnny Williams of the Morning Times

**Public Comments:** There were no comments offered.

**Eagle Scout Project Presentation:** Sheldon Huddleston stated he would like to construct a sign for the Glen Park for his Eagle Scout Project. He presented plans and drawings of his proposed sign. It would be made out of wood with routed lettering. I would be painted green with gold lettering. Mayor Ayres, and the Board, thanked him for his interest in Glen Park. Trustee Aronstam moved to approve the plans as presented and the Village would purchase the materials needed for this project. Purchasing and placement would be done with the Parks Director’s oversight. Trustee Correll seconded the motion, which carried unanimously.

**Letters and Communications:** The clerk presented a Second Hand Dealer Application for Sandra Fiske. She would like to have recurring yard sales on the vacant lot at 110 Elm Street. Mayor Ayres stated there have been complaints regarding these yard sales. Attorney Keene stated this doesn’t fit the Seconded Hand Dealer Law. The code for yard sales is limited to 2 per year. Discussion followed. Trustee Burns moved to deny the Second Hand Dealer Application for Sandra Fiske as it does not pertain to her desired use. Trustee Correll seconded the motion, which carried unanimously.

The clerk read a Letter of Resignation dated 4/13/21 from Damion Bidlack, DPW Operator, stating he is resigning, effective 4/27/21. He has taken an employment opportunity at a private company. He thanked the village for their support during his employment.

**Approval of Minutes:** Trustee Aronstam moved to approve the Minutes of March 23, and April 5, 2021 as presented. Trustee Correll seconded the motion, which carried unanimously.

**Department Reports:** The clerk submitted reports for the Police Department (February and March 2021), and the Parks & Recreation.

Chief Gelatt stated the two officers left at the end of last year. He asked the Board to consider hiring two part-time officers with the possibility of filling the full-time slots at a later time. The two candidates are now in the academy and nearing the end of the first phase. They must have a sponsor to move on to phase 2. They are Dylan Wolfe and Hunter Argetsinger. Chief Gelatt stated he has interviewed both and highly recommend both. Chief Gelatt stated hopefully, once certified, the Village could have two candidates for Full Time employment.

Trustee Correll moved to hire Dylan Wolfe and Hunter Argetsinger as Part Time Police Officers at the contractual rate of an Uncertified PT Officer, and sponsor both through the Police Academy, effective immediately. Trustee Sweeney seconded the motion, which led to a roll call vote and resulted as follows:

Ayes – 5 (Sweeney, Aronstam, Burns, Correll, Ayres)

Nays – 0

Absent – 2 (Sinsabaugh, Traub)

The motion carried.

Mayor Ayres read a letter from Cemetery Commissioner Ron Keene. The letter stated concern with not using a side-discharge chute on the mower. Mayor Ayres stated he would discuss with K & K Lawn Service regarding this matter.

**Finance Committee/Approval of Abstract:** Trustee Burns presented the following abstracts, and moved to approve all payments: General Fund Abstract $51,943.42; Cemetery $14,296.77; and Recreation Commission $150.00. Trustee Correll seconded the motion, which carried unanimously.

**Summer Help in Parks:** The clerk submitted a request from Recreation Director Shaw to hire the following as seasonal part-time parks laborer:

Stephen Taylor $12.50/hour

Spencer Dekay $12.50/hour

Trustee Aronstam moved to approve hiring the seasonal part-time park laborers, and not to exceed the budgeted amount. Trustee Sweeney seconded the motion, which carried unanimously.

**Summer Help in Recreation:** The clerk submitted a request from Recreation Director Shaw to hire the following as seasonal part-time personnel for the five-week Summer Recreation Program:

Zoe Menning 28 hours/week $13.50/hour Director

Jon Ward 28 hours/week 12.90/hour Assistant Director

Noah Carpenter 28 hours/week 12.50/hour Counselor

Riley Hall 28 hours/week 12.50/hour Counselor

Kristyn Johnson 28 hours/week 12.50/hour Counselor

Dylan Ward 28 hours/week 12.50/hour Counselor

Campbell Dougherty 28 hours/week 12.50/hour Counselor

Faith Svoboda 28 hours/week 12.50/hour Counselor

Chenelle Huddleston 28 hours/week 12.50/hour Counselor

Megan Ward 28 hours/week 12.50/hour Counselor

Trustee Aronstam moved to approve hiring the seasonal part-time personnel, as requested. Trustee Sweeney seconded the motion, which carried unanimously.

**Glen Park Project:** Mayor Ayres stated the contractor is back on site to finish up the project. The bridge is being constructed, boulders placed, and started on the tennis court. School students are coming up with some designs for the stage. The budget for the stage is $20,000 and that was donated by a benefactor.

**Internet/Security at Parks:** Mayor Ayres stated he received a proposal and forwarded it to Tioga County IT for review. He should have a solid proposal by the next meeting.

**Village Hall Repairs:** Trustee Correll stated he will look at the leak in the roof at Village Hall. He also stated he talked with Penelec regarding street lights, and nothing can be done.

**Trane Annual Agreement:** Mayor Ayres stated he had some concerns with the wording in the previous agreement as it was not clear on what and when things were getting done. He met with their Representative, Cody Buterbaugh, and he revised the agreement. There are design deficiencies in the HVAC System at Village Hall. Mr. Buterbaugh is exploring changes. He asked Trustee Correll, Trustee Sweeney, Clerk Treasurer Wood, and Chief Gelatt to help with this matter.

Trustee Burns moved to approve the revised Trane Annual Agreement for quarterly maintenance of the Village Hall’s HVAC System in the amount of $9,317. Trustee Correll seconded the motion, which carried unanimously.

**Political Signs:** Mayor Ayres asked Attorney Keene if she reviewed the law regarding explicit language used on political signs. Attorney Keene stated she did, and we cannot regulate political Freedom of Speech and/or content. Unfortunately, this includes profanity.

**Downtown Beautification:** Mayor Ayres stated the WBA, School, and Village met over a year ago and discussed putting planter boxes in the Business District. He would like to partner with the WBA to install these. They would only be placed at businesses that agree to take care of the plantings. Discussion followed. Trustee Burns would like to have further discussions with the WBA.

**Adjournment**: Trustee Aronstam moved to adjourn at 7:54 p.m. Trustee Aronstam seconded the motion, which carried unanimously.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, MAY 11, 2021 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:40 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Trustees Present: Andrew Aronstam, Kyle Burns, Keith Correll, Kasey Traub, Kevin Sweeney, Jerry Sinsabaugh, and Mayor Patrick Ayres

Also present: Clerk Treasurer Michele Wood, Code Officer Chris Robinson, and Attorney Betty Keene

Press: Johnny Williams of the Morning Times

**Public Comments:** There were no comments offered.

**Valley Fireworks Task Force:** Laura Hoppe, Representative of the Valley Fireworks Task Force, stated the task force was formed in 2020 due to concerns with home fireworks. She stated the laws are much different in New York than Pennsylvania. All aerial fireworks are illegal in New York. She stated that fireworks seem to go on for weeks after the 4th of July. The task force recommended a violation notice be given to property owners where fireworks are being used. Attorney Keene stated that would challenging to violate a landlord, as it very difficult to prove who set off the fireworks. This is something that a landlord has no real control over. Laura Hoppe also stated that fireworks has an adverse reaction to those suffering from PTS, and it also stresses pets/animals. The task force is recommending more restrictions for Pennsylvania. The task force is advocating community awareness regarding adverse reactions, fire hazards, safety, and the legality of fireworks. Chief Gelatt committed to more patrols during the holiday. The Board supports all applicable NYS Laws on fireworks.

**Approval of Minutes:** Trustee Sweeney moved to approve the Minutes of April 13, and April 15, 2021 as presented. Trustee Burns seconded the motion, which carried unanimously.

**Department Reports:** The clerk submitted reports for Code Enforcement. Code Officer Robinson stated there are less calls for 460 Broad Street. The new property management company seems to be getting a better grip on the issues there. He has been monitoring high grass.

Trustee Traub stated the Water Board is moving toward demolition of the rental house. They are also looking for more grants to help with their infrastructure improvement project.

**Treasurer's Reports:** Clerk Treasurer Wood presented the following financial reports:

General Fund 4/1/21 – 4/30/21

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 400,431.43 | Current Revenues | 176,704.19 |
| Deposits | 109,551.09 | Year to Date Revenue | 3,099,075.32 |
| Disbursements | -252,637.71 | Current Expenditures | 198,858.61 |
| nding Balance | 257,344.81 | Year to Date Expended | 2,694,114.98 |

\*General Capital Reserve Fund, $291,090.87

\*Equipment Reserve Fund $100,032.60

Cemetery Fund 4/1/21 – 4/30/21

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 38,284.04 | Current Revenues | 1,356.93 |
| Deposits | 1,350.95 | Year to Date Revenue | 54,448.49 |
| Disbursements | -14,510.45 | Current Expenditures | 14,510.45 |
| Ending Balance | 25,124.54 | Year to Date Expended | 50,546.46 |

\*Perpetual Care Fund $33,678.49

Capital Projects Fund 4/1/21 – 4/30/21

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Glen Park | WWTP Upgrade | Water Project | Restore NY |
| Beginning Balance | 132,520.24 | 740,803.12 | 123,059.95 | 379.98 |
| Deposits/Debits | 0.00 | 91,587.32 | 0.00 | 0.00 |
| Disbursements/Credits | 0.00 | -979.80 | -30,785.85 | 0.00 |
| Ending Balance | 132,520.24 | 831,410.64 | 92,274.10 | 379.98 |

\*Total Capital Projects Fund Balance $1,056,204.98

**Revenue Status Report:** The clerk submitted a report showing year-to-date revenues for April 2020/ 2021. The largest deficit is court fines of $16,582.74 (due to courts closed for 6 months for COVID-19).

|  |  |  |  |
| --- | --- | --- | --- |
| Month | YTD Previous Year YYyearYeYearYear | YTD Current Year | Current Status |
| August | 143,270.97 | 128,300.65 | -14,970.32 |
| September | 185,326.67 | 177,700.15 | -7,626.52 |
| October | 257,806.33 | 244,691.69 | -13,144.64 |
| November | 321,595.21 | 299,160.80 | -22,434.41 |
| December | 366,388.21 | 343,128.95 | -23,259.26 |
| January | 412,751.46 | 402,284.62 | -10,466.84 |
| February | 508,394.25 | 486,906.94 | -21,487.31 |
| March | 605,251.36 | 587,844.63 | -17,406.73 |
| April | 654,882.92 | 636,529.70 | -18,353.22  . |

**Finance Committee/Approval of Abstract:** Trustee Sinsabaugh presented the following abstracts, and moved to approve all payments: General Fund Abstract $17,282.03. Trustee Burns seconded the motion, which carried unanimously.

**Tioga County Update:** Tioga County Legislator Dennis Mullen stated the Village Hall Wing is on their agenda for April 22, 2021. They did a walk-through and had significant discussion. The space would be good once it’s built out for the Department of Mental Health’s needs. That department has 9 employees.

**Glen Park Project:** Mayor Ayres stated the front entrance is done, bridge is going in, tennis court repair is in progress, landscaping near complete, and waterfall area is finishing up. He stated concern with the road in the center of the park should be sealed or paved. This was taken out of the scope to save money. The cost of the seal coat is approximately $6,000 and will last a few years. The cost to repave would be approximately $16,000 but would last for many years. Paving could be done when Broome Bituminous is here to pave the streets and could possibly save us more if they do it while they are here. Discussion followed. Trustee Aronstam moved to approve Broome Bituminous pave the middle section of Glen Park through State Bid if costs stay below $17,000. Trustee Sweeney seconded the motion, which led to a roll call vote and resulted as follows:

Ayes – 7 (Sweeney, Sinsabaugh, Traub, Aronstam, Burns, Correll, Ayres)

Nays – 0

The motion carried.

**Auction Proceeds for Dump Trucks:** The clerk stated the dump trucks went to auction on May 8th through Manasse Auction. One of the dump trucks sold for $33,000 and the other for $35,000. The proceeds will be deposited into the General Fund once received.

**Village Hall Repairs:** Trustee Correll stated he had not had a chance to look at roof leak at Village Hall.

**Storm Drain Replacement Project:** The clerk stated we received a check for $125,000 in grant funds from NYS DEC for the Storm Drain Replacement Project.

**Internet/Security at Parks:** Mayor Ayres stated Empire will provide internet/WIFI access to East Waverly Park and Glen Park for $500 each. There will also be a $70 monthly charge for each. Tioga County stated cameras will be $150 each, and a video recorder costs $500. The recorder can handle up to 50 cameras. Two firewalls would need to be installed at a cost of $700 ($350 each). The number of cameras would need to be determined. Trustee Correll moved to approve installation of internet/WIFI as presented. Trustee Aronstam seconded the motion, which led to a roll call vote and resulted as follows:

Ayes – 7 (Sweeney, Sinsabaugh, Traub, Aronstam, Burns, Correll, Ayres)

Nays – 0

The motion carried.

**Downtown Beautification:** Mayor Ayres stated he met with the WBA to discuss planter boxes. Cameron Van Norman, of the WBA, agreed to partner with the Village; however, only if the business owner wanted the planters and agreed to take care of the plantings. The business owners not wishing to have them should not have them. The WBA will donate up to $250 per year to help with the cost of the plantings.

**Tax Rate Resolution:** Trustee Correll offered the following resolution and moved its adoption:

WHEREAS, the Board of Trustees, finalized the annual budget for the fiscal year, commencing June 1, 2021 and ending May 31, 2022; and,

WHEREAS, the total of taxable property in said Village as shown on the current assessment roll has been determined to be $139,799,887; and,

WHEREAS, the Board of Trustees of the Village of Waverly, by resolution dated the same date appropriated the sum of $3,138,607; less estimated revenues of $917,936 or a balance of $2,220,671to be raised by real estate taxes, said Board of Trustees hereby levies the following tax pursuant to the provisions of the Real Property Tax Law of the State of New York upon the taxable property of the Village of Waverly, to wit: upon all taxable property of the Village of Waverly; and,

BE IT RESOLVED, that the tax rate on account of said levy be set at the rate of $15.885 per each $1,000 of assessed valuation; and,

BE IT FURTHER RESOLVED, that the Village Clerk/Treasurer be directed to extend and carry out upon the tax roll of the Village of Waverly, the amount to be levied against the value of each parcel of real property owed thereon; and,

It further appearing that that an Executive Order, composed by NYS Governor Andrew Cuomo, prohibits unpaid water rents to be levied against the value of each parcel of real property owed thereon; and,

NOW, THEREFORE, BE IT RESOLVED, that a total amount of such unpaid water rents in the amount of $0.00 be levied pursuant to the provision of the Village Law against said properties, as set forth on said certificate, and in the amount set forth, and,

It further appearing that the Board of Sewer Commissioners of the Village of Waverly has filed with the Clerk, its certificate in writing, indicating certain unpaid sewer rents and penalties thereon, as of May 1, 2021 with the properties against which said unpaid sewer rents are charged.

NOW, THEREFORE, BE IT RESOLVED, that a total amount of such unpaid sewer rents in the amount of $27,829.32 be levied pursuant to the provision of the Village Law against said properties, as set forth on said certificate, and in the amount set forth, and,

It further appearing that the Board of Sewer Commissioners of the Village of Waverly has filed with the Clerk, its certificate in writing, indicating certain unpaid sewer debt service charges (capital charges) and penalties thereon, as of May 1, 2021 with the properties against which said unpaid sewer rents are charged.

NOW, THEREFORE, BE IT RESOLVED, that a total amount of such unpaid sewer debt service charges (capital charges) in the amount of $24,556.84 be levied pursuant to the provision of the Village Law against said properties, as set forth on said certificate, and in the amount set forth, and,

NOW, THEREFORE, BE IT RESOLVED, that a total amount of $885.00 of unpaid grass and weeds removal be levied pursuant to the provision of the Village Law against said properties, as set. Forth, on said certificate, and,

NOW, THEREFORE, BE IT RESOLVED, that a total amount of $1,995.00 of unpaid snow removal be levied pursuant to the provision of the Village Law against said properties, as set. Forth, on said certificate, and,

BE IT FURTHER RESOLVED, that the Village Clerk be directed to extend and carry out upon said tax roll of the Village of Waverly the amount so levied against the several parcels of real property:

Trustee Traub seconded the motion, and duly put to a roll call vote, resulting as follows:

Ayes – 7 (Sweeney, Sinsabaugh, Traub, Aronstam, Burns, Correll, Ayres)

Nays – 0

The motion carried.

**Approval of 2018 CDBG Abstract:** The clerk presented the abstract for Drawdown #21 in the amount of $49,660.00. Trustee Burns moved to approve the bills as presented. Trustee Sweeney seconded the motion, which carried unanimously.

**Wastewater Treatment Plant Upgrade Project:** The clerk stated the WWTP Upgrade Project will go to permanent financing on May 25, 2021. The final costs of the project and the amount of the grant will also be finalized. The grant is based on the total costs of the project. She stated with the numbers she has now, and anticipates, it appears that the capital charges will not increase.

**Farm Animals:** Mayor Ayres stated there seems to be residents with chickens. The Village of Waverly has a local law in effect that prohibits chickens and all farm animals within the village limit.

**Mayor/Board Comments:** Mayor Ayres stated he met with Keith Pond, of K & K Lawn Service, regarding the cemetery mowing. He stated he will blow debris in a safe manner, and will use a chute wherever possible. Mr. Pond advises his mowers to stay a far distance from any visitors to the cemetery. Mayor Ayres also stated there is an area in Glenwood Cemetery for parking. Some people park there to hike the trails.

**Executive Session:** Trustee Sweeney moved to enter executive session at 8:10 p.m. to discuss an employment applicant. Trustee Traub seconded the motion, which carried unanimously.

Trustee Burns moved to enter regular session at 8:24 p.m. Trustee Traub seconded the motion, which carried unanimously.

**Hire DPW Laborer:** Trustee Correll moved to hire Kenneth Park II as a DPW Laborer, effective after two week notification to current employer. He will be paid $15.90/hr. per DPW Union Contract. He will have a probationary period of 52 weeks as required by Civil Service. Trustee Aronstam seconded the motion, which led to a roll call vote and resulted as follows:

Ayes – 7 (Sweeney, Sinsabaugh, Traub, Aronstam, Burns, Correll, Ayres)

Nays – 0

The motion carried.

**Adjournment**: Trustee Sinsabaugh moved to adjourn at 8:25 p.m. Trustee Burns seconded the motion, which carried unanimously.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, MAY 25, 2021 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Trustees Present: Andrew Aronstam, Kyle Burns, Keith Correll, Kasey Traub, Kevin Sweeney, Jerry Sinsabaugh, and Mayor Patrick Ayres

Also present: Clerk Treasurer Michele Wood, and Attorney Betty Keene

Press: Johnny Williams of the Morning Times

**Public Comments:** There were no comments offered.

**Letters and Communications:** The clerk read a letter from Mark Bakley, of Lincoln Avenue, requesting a street closure for Lincoln Avenue on July 24th from 2:00-8:30 p.m. for a graduation party. The clerk stated Chief Gelatt reviewed the request and had no concerns. Trustee Sweeney moved to approve the street closure as requested. Trustee Burns seconded the motion, which carried unanimously.

The clerk read a letter from Barbara Kresge, 165 Providence Street, stating she would like to open a small ice-cream stand on her property, however, the property is zoned residential. Attorney Keene will review the code. She also stated that this request should go through the Planning Board.

**Approval of Minutes:** Trustee Correll moved to approve the Minutes of April 27, and May 11, 2021 as presented. Trustee Traub seconded the motion, which carried unanimously.

**Department Reports:** The clerk submitted a report for the Police Department.

**Treasurer's Reports:** Clerk Treasurer Wood presented the following financial reports:

Loan Programs 4/1/21 – 4/30/21

|  |  |  |  |
| --- | --- | --- | --- |
| Business Loans |  | Rehab Loans | Balances |
| Beginning Balance | 49,561.91 | Beginning Balance | 9,408.30 |
| Deposits | 1,662.94 | Deposits | 623.30 |
| Disbursements | -15,000.00 | Disbursements | 0.00 |
| Ending Balance | 36,224.85 | Ending Balance | 10,031.60 |
| Money Market/Savings | 143,641.07 | MM/Savings Balance | 170,384.58 |
| Due from CP/Glen Park | 60,000.00 |  | 0.00 |
| Total Fund Balance | 239,865.92 | Total Available Balance | 180,416.18 |

*\*outstanding loans $16,961.57 \*outstanding loans $25,441.20*

**Finance Committee/Approval of Abstract:** Trustee Sinsabaugh presented the following abstracts, and moved to approve all payments: General Fund Abstract $51,808.41. Trustee Aronstam seconded the motion, which carried unanimously.

**Tioga County Update:** Trustee Aronstam stated he and Trustee Correll attended the Tioga County Meeting and they are interested in the Village Hall Wing, however, they don’t want to go over a 10-lease and they don’t want to spend more than they currently are. They did talk about the possibility of having more services since there would be more space, therefore, they would make more revenues.

**Glen Park Project:** Mayor Ayres stated the electric was installed at the large pavilion. The sign is done and installed. He thanked Sheldon Huddleston for his work, and the sign looks great. Mayor Ayres stated Mr. Huddleston requested he would like to keep the old sign. The Board had no issues with his request.

**Village Hall Repairs:** Trustee Correll stated he looked at the leak and the rooftop unit might be leaking. Trane will be down and they will check and Trustee Correll will be here. He also stated the lights at Village Hall should be changed to LED lights to save on costs. He will work on specs for future meeting.

**Internet/Security at Parks:** Mayor Ayres stated Empire will install WIFI at the parks on June 8th. Tioga County IT visited the sites and came up with a total of 11 camera needed (4 at the Glen Park, 4 at East Waverly Park, 2 at the WWTP, and 1 at the DPW). They will be installed by the county. The cameras costs $150 each. We will also need to purchase a recording box. The recordings will be saved for two weeks and will then be taped over. The recordings can be copied and saved if needed.

**Downtown Beautification:** Mayor Ayres stated he is working on estimated for the planter boxes. The WBA will see what businesses want them. Discussion followed. Trustee Correll moved to expend up to $1,000 on the planters/plantings as presented. Trustee Traub seconded the motion, which led to a roll call vote and resulted as follows:

Ayes – 6 (Sweeney, Sinsabaugh, Traub, Aronstam, Correll, Ayres)

Nays – 1 (Burns)

The motion carried.

**Transfer to Equipment Reserve:** The clerk recommended the proceeds of $68,000 from the sale of the two dump trucks be transferred to the Equipment Reserve. Trustee Aronstam moved to transfer $68,000 to the Equipment Reserve. Trustee Sinsabaugh seconded the motion, which carried unanimously.

**Planning Board Recommendation:** Trustee Burns stated he was unable to attend the last Planning Board Meeting and will discuss the recommendation with Tioga County Planning Director Elaine Jardine and will report back at the next meeting.

**Civil Service New Position Duties Statement:** The clerk read a proposal from Chief Gelatt stating Laura Oakley, Police Records Clerk, will be retiring on July 22, 2021. He would like to get a clerk in and train before she leaves. Civil Service requires a new position be opened for the length of time needed. Trustee Aronstam moved to approve a new position for Records Clerk effective immediately and terminating on July 22, 2021. Trustee Sinsabaugh seconded the motion, which carried unanimously.

**Police Records Clerk:** Trustee Sinsabaugh moved to hire Brie Bingham as Records Clerk at a rate of $14.42 per hour. She will be training to replace Laura Oakley. Trustee Aronstam seconded the motion, which led to a roll call vote and resulted as follows:

Ayes – 7 (Sweeney, Sinsabaugh, Burns, Traub, Aronstam, Correll, Ayres)

Nays – 0 ()

The motion carried.

**School Resource Officer (SRO):** Waverly Schools have decided to bring back their SRO. They will pay the village $35,000 per year for SRO coverage. Chief Gelatt recommended bringing back Officer Benjamin Hettinger to fill the SRO position as he would like to come back and has a very good association with the school and the department. Trustee Sweeney moved to hire Benjamin Hettinger as Part Time Police Officer, assigned as SRO, at a rate of $35,000 per year. Trustee Burns seconded the motion, which led to a roll call vote and resulted as follows:

Ayes – 7 (Sweeney, Sinsabaugh, Burns, Traub, Aronstam, Correll, Ayres)

Nays – 0 ()

The motion carried.

**2018 CDBG Project Request:** The clerk stated that Thoma Development asked if the Village would contribute $1,405.78 to the program to be able to complete the last housing rehab project. Discussion followed. Trustee Aronstam moved to contribute $1,405.78 from the Residential Rehab (Loan Fund) as requested. Trustee Correll seconded the motion, which carried unanimously.

**Approval of 2018 CDBG Abstract:** The clerk presented the abstract for Drawdown #22 in the amount of $91,402.00. Trustee Aronstam moved to approve the bills as presented. Trustee Burns seconded the motion, which carried unanimously.

**2020-2021 Budget Transfers, General Fund:** Trustee Aronstam moved to approve the following budget transfers as presented. Trustee Burns seconded the motion, which carried unanimously.

|  |  |  |  |
| --- | --- | --- | --- |
| **Line Item** | **Description** | **Transfer In:** | **Transfer Out:** |
| A 1110.0100 | court-full time |  | -1,500 |
| A 1110.0145 | court-sick | 1,471 |  |
| A 1110.0148 | court-holiday | 234 |  |
| A 1325.0145 | treasurer-sick | 150 |  |
| A 1325.0400 | treasurer-contractual exp | 1,000 |  |
| A 1355.0142 | assessment-part time |  | -10,949 |
| A 1410.0100 | clerk-full time |  | -10,000 |
| A 1410.0145 | clerk-sick | 1,943 |  |
| A 1410.0149 | clerk-vacation | 164 |  |
| A 1450.0100 | elections | 600 |  |
| A 1450.0400 | elections-contractual exp | 330 |  |
| A 1620.0403 | bldg-repairs | 9,000 |  |
| A 1620.0405 | bldg-telephone | 15,000 |  |
| A 1910.0400 | unallocated insurance | 33,366 |  |
| A 1990.0400 | contingent account |  | -53,169 |
| A 3120.0100 | police-full time |  | -41,000 |
| A 3120.0142 | police-part time |  | -4,000 |
| A 3120.0145 | police-sick | 48,289 |  |
| A 3120.0146 | police-overtime | 26,989 |  |
| A 3120.0148 | police-holiday | 936 |  |
| A 3120.0401 | police-supplies | 1,000 |  |
| A 3120.0403 | police-radio repairs | 500 |  |
| A 5110.0100 | street-full time |  | -8,000 |
| A 5110.0142 | street-part time |  | -5,000 |
| A 5110.0145 | street-sick | 4,161 |  |
| A 5110.0149 | street-vacation | 60 |  |
| A 5110.0401 | street salt & sand | 1,500 |  |
| A 5110.0403 | street-equip repair | 15,000 |  |
| A 5110.0404 | street repairs | 15,000 |  |
| A 5110.0407 | street-shop/traffic lights | 1,500 |  |
| A 5110.0411 | street-street signs | 2,000 |  |
| A 5110.0412 | street-misc | 2,000 |  |
| A 5410.0400 | sidewalks | 1,100 |  |
| A 7110.0142 | parks-part time |  | -2,800 |
| A 7110.0145 | parks-sick | 438 |  |
| A 7110.0149 | parks-vacation | 750 |  |
| A 7110.0201 | parks-equipment | 1,500 |  |
| A 7110.0404 | parks-equip repairs | 1,500 |  |
| A 7110.0408 | parks-trash | 1,000 |  |
| A 7110.0409 | parks-heating gas | 100 |  |
| A 7310.0100 | rec-full time | 938 |  |
| A 7310.0142 | rec-part time |  | -15,500 |
| A 7620.0400 | adult recreation | 250 |  |
| A 9010.0800 | employee retirement |  | -14,500 |
| A 9015.0800 | police retirement | 15,336 |  |
| A 9030.0800 | social security |  | -12,000 |
| A 9040.0800 | workmans comp ins |  | -21,532 |
| A 9060.0800 | health insurance |  | -5,155 |

**2020-2021 Budget Amendments, General Fund:** Trustee Traub moved to approve the following budget amendments as presented. Trustee Burns seconded the motion, which carried unanimously.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| A 510 Estimated Revenues |  | **debit** |  | A 960 Estimated Appropriations |  | **credit** |
| A 3501 | CHIPS | 5,218 |  | A 5112-0200 | permanent improve | 5,218 |
| A 2260 | Public Safety (SRO) | -27,000 |  | A 3120.0143 | police-part time SRO | 27,000 |
|  |  |  |  |  |  |  |
| TOTAL |  | -21,782 |  | TOTAL |  | 21,782 |

**2020-2021 Budget Amendments, Cemetery Fund:** Trustee Burns moved to approve the following budget amendments as presented. Trustee Sinsabaugh seconded the motion, which carried unanimously.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| C 510 - Appropriated Revenue |  | **debit** |  | C 960 - Appropriated Expense |  | **credit** |
| C 2190 | sale of lots | 5,072.00 |  | C 8810.0142 | part time | 69.00 |
|  |  |  |  | C 8810.0400 | contract exp | 5,000.00 |
|  |  |  |  | C 9030.0800 | social security | 3.00 |
|  |  |  |  |  |  |  |
| TOTAL |  | 5,072.00 |  | TOTAL |  | 5,072.00 |

**Adjournment**: Trustee Burns moved to adjourn at 7:55 p.m. Trustee Sweeney seconded the motion, which carried unanimously.

Respectfully submitted,

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Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, JUNE 8, 2021 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Trustees Present: Andrew Aronstam, Kyle Burns, Keith Correll, Kevin Sweeney, Jerry Sinsabaugh, and Mayor Patrick Ayres

Also present: Clerk Treasurer Michele Wood

Press: Johnny Williams of the Morning Times

**Public Comments:** Ron Keene, 7 Elliott Street, stated concern that water was being taken from a hydrant and nobody knows about it. He submitted a photo of a truck getting water. The clerk stated that we do sell water by the truckload, and we are paid in advance for it. The cost is figured on the amount of water that the truck can hold. Mayor Ayres stated he would discuss with the Board of Water Commissioners.

Patricia Evans, 412 Loder Street, stated she is trying to sell off 30 years of antiques. She stated she received a letter from Code Enforcement that she can only have two sales per year. She says she donates to the Veteran’s Association on a regular basis from these sales, and says the law exempts charitable events. She wants to sell her goods, and requests a variance. Mayor Ayres stated he would discuss with Attorney Keene regarding the code. He would have a determination at the next meeting.

Barbara Kresge, 165 Providence Street, stated she would like to have a small ice-cream stand next to her home in a 10’ x 20’ building. She wants to have a business when she retires next year. Mayor Ayres directed her to talk with the Clerk during business hours, and to reach out to the Planning Board.

**Department Reports:** The clerk submitted a report for the Code Enforcement, Recreation, and Police Department.

Trustee Aronstam stated both Part Time Parks Summer Help employees have resigned. Recreation Director recommended two replacements. Trustee Aronstam moved to approve David J. Shaw and Tyler Talada be hired to fill the vacancies, at $12.50 per hour as budgeted, effective immediately. Trustee Correll seconded the motion, which carried unanimously.

Trustee Sinsabaugh stated the two new Part Time Police Officers are done with the academy and will start their field training on June 11th.

**Finance Committee/Approval of Abstract:** Trustee Sinsabaugh presented the following abstracts, and moved to approve all payments: General Fund Abstract (May) $10,737.55 and (June) $17,903.97; Cemetery Fund Abstract $6,900.00; and Recreation Commission $1,950.37. Trustee Sweeney seconded the motion, which carried unanimously.

**Glen Park Project:** Mayor Ayres stated things are very close to being complete. He stated there has been a lot of donations toward the project. He would like to have a rededication event on August 8, 2021, and invite the donors and the public. He will see if the Fire Department would like to have a BBQ as a fundraising event also. He asked the Board for approval to plan the event and the costs associated with it. He stated he would keep it as low cost as possible. Trustee Sinsabaugh moved to approve Mayor Ayres’ request. Trustee Sweeney seconded the motion, which carried unanimously.

Mayor Ayres stated he met with the high school students and they came up with a design for the stage. He presented a 3-D copy of the stage. The estimate came a bit under $20,000. He stated we could build the foundation and the sides, however, we would need to hire a contractor to do the roof and the electric. The costs would be a little over the budgeted $20,000. He reminded the Board that a benefactor has donated $20,000 for the stage project. He also expects to receive another large donation soon. He thanked the students for all their work and interest in this project.

**Village Hall Repairs:** Trustee Correll stated the leak must have been fixed as it has not leaked for many months. He is still looking at the lighting. He also stated the trees next to Village Hall, near the neighbor to the west, needs to come down. Mayor Ayres stated we would need two estimates.

**Planning Board Recommendation:** Trustee Burns recommended moving forward with a marketing analysis as suggested in the Comprehensive Plan. He stated Elaine Jardine, Tioga County Planning Director, will be drafting a resolution. She is also putting together a grant application for $50,000, with a village share of $20,000. The consensus of the Board was to move forward with the grant and the analysis. Trustee Burns stated we should have all the details at the next meeting.

**Tioga County Update/Village Hall Wing:** Trustee Aronstam stated he LeAnn Tinney and Lori Morgan, of Tioga County, and they would like to wing if it’s feasible. They current lease a building (2,200 sf) for $23,000 per year. The wing is approximately 3,600 sf. They could bring additional services to help offset costs. They are only interested in a 10-year lease. He also talked with Hunt Engineer, as they were the engineers of the original rehab, and they would charge $10,000 for preliminary drawings. Hunt Engineers estimated the construction to be $750,000.

**Approval of 2018 CDBG Abstract:** The clerk presented the abstract for Drawdown #23 in the amount of $13,741.58. Trustee Aronstam moved to approve the bills as presented. Trustee Sinsabaugh seconded the motion, which carried unanimously.

**Procurement Policy:** Mayor Ayres asked the Board to review the policy for the next meeting.

**Curb Cut Application:** The clerk presented a curb cut application from Krystal and Rob Henderson for the property located at 500 Waverly Street. The clerk stated Chief Gelatt and Street Operator Pond have reviewed and had offered no concerns. Trustee Burns moved to approve the curb cut at 500 Waverly Street. Trustee Sweeney seconded the motion, which carried unanimously.

**Tioga Opportunities Board of Directors:** Mayor Ayres appointed Cindy Schulte as the Village of Waverly’s designee on the Tioga Opportunities, Inc. Board of Directors.

**Village Tax Corrections:** The clerk stated since the “Water House” is taxable, we received a tax bill for our own property. This was exempt from village tax when we were assessing. She stated she talked with the assessor and this will be adjusted in the future, and will be reassessed once it is demolished. Once demolished, it will be exempt from all property tax as all other village parcels are. Trustee Correll moved to approve a property tax correction for 290 W Pine Street (parcel #155.00-2-1.1). The current taxes are $995.97 and will be changed to $0.00, as exempt from village tax. Trustee Burns seconded the motion, which led to a roll call vote, as follows:

Ayes – 6 (Correll, Sweeney, Sinsabaugh, Burns, Aronstam, Ayres)

Nays – 0

Absent – 1 (Traub)

The motion carried.

**Adjournment**: Trustee Aronstam moved to adjourn at 8:00 p.m. Trustee Sinsabaugh seconded the motion, which carried unanimously.

Respectfully submitted,

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Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, JUNE 22, 2021 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Trustees Present: Andrew Aronstam, Kyle Burns, Keith Correll, Kevin Sweeney, Kasey Traub, and Mayor Patrick Ayres

Also present: Clerk Treasurer Michele Wood, and Attorney Keene

Press: Johnny Williams of the Morning Times

**Public Comments:** Patricia Evans, 412 Loder Street, stated she recently asked permission to have rummage sales in her vacant lot which is zoned Industrial. She stated all the zones don’t have yard sales listed. She was told by Code Enforcement that sales are limited to two sales per year. She stated Chief Gelatt and Attorney Keene stated she could have another one, as it was already advertised, but she would need to sign a paper showing the proceeds were going to the VA Hospital (as she had stated it would prior to this). Ms. Evans stated she will not be having sales there as she has found a place in Elmira.

The clerk read a letter from Sheryl Deibler stating yard sales are a benefit to the community and shouldn’t be limited, and asked the Board to consider eliminating or modifying this intrusive ordinance.

The clerk read a letter from Jessy Schwenk stating she will be replacing her sidewalk at 95 Spring Street, which is a corner lot. She stated the sidewalk on the Ball Street side is the only one on that street and it leads to the cemetery and stops. She requested that she be approved to take out the sidewalk on Ball Street as it is not needed. Discussion followed. Trustee Traub moved to approve Jessy Schwenk to remove the portion of sidewalk on Ball Street as requested. Trustee Sweeney seconded the motion, which carried unanimously.

**Approval of Minutes:** Trustee Burns moved to approve the Minutes of May 25, and June 8, 2021 as presented. Trustee Correll seconded the motion, which carried unanimously.

**Finance Committee/Approval of Abstract:** Trustee Burns presented the following abstracts, and moved to approve all payments: General Fund Abstract (May) $11,709.99 and (June) $29,645.19; Cemetery Fund Abstract $6,912.98; Recreation Commission $400.00. Trustee Sweeney seconded the motion, which carried unanimously.

**Capital Projects Abstract:** Trustee Burns moved to approve the following expenditures be paid from the Capital Projects Fund. Trustee Sweeney seconded the motion, which carried unanimously.

|  |  |  |  |
| --- | --- | --- | --- |
| Vendor | Project | Invoice | Amount |
| Millard Plumbing & Heating | Glen Park | 35112 | $ 2,200.00 |

**Tioga County Update/Village Hall Wing:** Trustee Aronstam stated he and Mayor Ayres met with Tioga County. The County is getting a more up-to-date plan to identify their needs will be if they decide to utilize the Village Hall Wing. We would need to do a preliminary engineering plan (design drawings) first before we could move forward, however, the county needs to tell us what they would need. Discussion followed. Trustee Aronstam authorized to hire Hunt Engineers and to expend up to $10,000 for a preliminary engineering plan for the Village Hall Wing, contingent upon the county giving us input on the design needs and sufficient county services to warrant the cost of the engineering plan. Trustee Traub seconded the motion, which led to a roll call vote, as follows:

Ayes – 6 (Correll, Sweeney, Traub, Burns, Aronstam, Ayres)

Nays – 0

Absent – 1 (Sinsabaugh)

The motion carried.

**Glen Park Project:** Mayor Ayres stated the plans for the August 8th event is progressing. Waverly School will help with shuttle service from Lincoln Street School to the Glen, as park parking is limited.

Mayor Ayres stated the paving in the park is done and looks great. There are cracks forming in the tennis court. The contractor is aware of them and will repair them. We will hold money from the contractor’s retainage until the cracks are repaired and they don’t reappear. The contractor had no issues with that.

**Planning Board Recommendation:** Trustee Burns moved to adopt the following resolution on the

recommendation of the Village of Waverly Planning Board:

**Resolution to Authorize Application to the Empire State Development Planning**

**and Feasibility Studies Grant Program and Commit Local Match**

WHEREAS: The Village of Waverly Planning Board worked with the Village Board of Trustees to update the Village’s Comprehensive Plan, which was adopted in December, 2020; and

WHEREAS: The top rated implementation measure among the short term actions that requires a cost investment is to hire a qualified, professional consulting firm to conduct an economic / downtown market analysis; and

WHEREAS: This project is a perfect fit for NYS Empire State Development’s Planning and Feasibility Study Grant program, which funds these types of studies with a 50% local match required; and

WHEREAS: The Tioga County Planning Director has solicited qualified consultants for preliminary proposals including cost estimate, time and scope of work outline and has received two such proposals; and

WHEREAS: Based on the consultant proposals received, the budget for this economic market analysis study is set at an amount not to exceed $50,000; which will be comprised of $25,000 in NYS ESD grant funds, $20,000 in Village of Waverly funds, and $5,000 of in-kind services from the Tioga County Planning Director; and

WHEREAS: The Village Board of Trustees has determined that this study is a Type II action under NY SEQR according to 6NYCRR Part 617.5(c)(27), and therefore requires no further environmental assessment; therefore be it

RESOLVED: That the Village of Waverly Board of Trustees hereby authorizes said grant application and commits up to $20,000 in cash match; and further be it.

RESOLVED: That upon grant award, the Mayor is authorized to sign any and all contract paperwork, contingent upon review of the Village attorney.

Trustee Correll seconded the motion, which led to a roll call vote, as follows:

Ayes – 7 (Correll, Burns, Sweeney, Aronstam, Traub, Ayres)

Nays – 0

Absent – 1 (Sinsabaugh)

The motion carried.

**Procurement Policy:** Mayor Ayres asked the Clerk Treasurer to make a recommendation for the next meeting.

**Water Sales:** The clerk stated since there was some concern with trucks taking water from a hydrant on Broad Street at the last meeting, she presented a purchase and use log of transactions for Bowen Construction, pricing for water purchases, and pricing for residential pool fills. She stated there was a lot of water sold last summer, which made a nice revenue stream for the Water Fund. She also stated that Water Plant Operator has put a meter on the hydrant and will be reconciling it each month.

**NYS DEC Community Visit:** Mayor Ayres stated he and Code Officer Robinson met with a representative from NY DEC and talked about some issues in the flood zones. He presented a summary of the meeting, however, very lengthy. He stated the clerk would email it to the trustees for their review and they could discuss any topics at a future meeting, if needed.

**Village Tax Corrections:** The clerk presented a village property tax bill for Cablevision Industries (Time Warner Cable) for parcel #555.00-1497. Cablevision Industries has a franchise agreement with the village and pays quarterly payments. This parcel is part of that agreement. It was miscoded on the town roll, which caused the bill to be sent. Trustee Aronstam moved to approve a property tax correction for Cablevision Industries as presented. The current taxes are $1,098.52 and will be changed to $0.00, as exempt from village tax. Trustee Traub seconded the motion, which led to a roll call vote, as follows:

Ayes – 6 (Correll, Sweeney, Traub, Burns, Aronstam, Ayres)

Nays – 0

Absent – 1 (Sinsabaugh)

The motion carried.

**Mayor/Board Comments:** Mayor Ayres stated South Waverly Borough will be honoring Robert “Bob” Nocchi for his years of services with the Borough and throughout the Valley. Mayor Ayres stated he would be out of town on that day and asked Trustee Aronstam to attend. Trustee Aronstam stated he would attend the event for the Village of Waverly.

Trustee Aronstam stated there will be a Golf Tournament at Tomasso’s on July 10th and proceeds will go to the Waverly Recreation Booster Club. Anyone interested in participating should sign up soon.

**Adjournment**: Trustee Aronstam moved to adjourn at 8:20 p.m. Trustee Correll seconded the motion, which carried unanimously.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, JULY 13, 2021 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Trustees Present: Andrew Aronstam, Kyle Burns, Keith Correll, Kasey Traub, Kevin Sweeney, Jerry Sinsabaugh, and Mayor Patrick Ayres

Also present: Clerk Treasurer Michele Wood, Code Officer Chris Robinson, Attorney Betty Keene, and Tioga County Legislator Dennis Mullen

Press: Johnny Williams of the Morning Times

**Public Comments:** There were no comments offered.

**Department Reports:** The clerk submitted reports from Recreation and Code Enforcement. Trustee Aronstam stated the truck that Recreation is using (borrowed from Water Department) was having issues and was not drivable. They had thought the transmission had failed, however, had other repairs, costing approximately $1,400, and is now working. He also stated the Waverly Recreation Booster Club made $2,200 in proceeds from the Golf Tournament.

Code Officer Robinson gave a summary of a variety of issues he is currently dealing with.

**Treasurer's Reports:** Clerk Treasurer Wood presented the following financial reports:

Cemetery Fund 5/1/21 – 5/31/21

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 25,124.54 | Current Revenues | 306.45 |
| Deposits | 300.49 | Year to Date Revenue | 54,954.94 |
| Disbursements | -1,090.02 | Current Expenditures | 1,074.83 |
| Ending Balance | 24,35.01 | Year to Date Expended | 51,454.20 |

\*Perpetual Care Fund $33,678.49

Cemetery Fund 6/1/21 – 6/30/21

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 24,335.01 | Current Revenues | 1,953.91 |
| Deposits | 2,826.34 | Year to Date Revenue | 1,953.91 |
| Disbursements | -14,909.41 | Current Expenditures | 14,033.07 |
| Ending Balance | 12,251.94 | Year to Date Expended | 14,033.07 |

\*Perpetual Care Fund $33,678.49

Loan Programs 5/1/21 – 5/31/21

|  |  |  |  |
| --- | --- | --- | --- |
| Business Loans |  | Rehab Loans | Balances |
| Beginning Balance | 36,224.85 | Beginning Balance | 10,031.60 |
| Deposits | .83 | Deposits | 191.79 |
| Disbursements | 0.00 | Disbursements | 0.00 |
| Ending Balance | 36,225.68 | Ending Balance | 10,223.39 |
| Money Market/Savings | 143,657.57 | MM/Savings Balance | 170,404.16 |
| Due from CP/Glen Park | 0.00 |  | 0.00 |
| Total Fund Balance | 179,883.25 | Total Available Balance | 180,627.55 |

*\*outstanding loans $16,961.57 \*outstanding loans $24,885.75*

Loan Programs 6/1/21 – 6/30/21

|  |  |  |  |
| --- | --- | --- | --- |
| Business Loans |  | Rehab Loans | Balances |
| Beginning Balance | 36,225.68 | Beginning Balance | 10,223.39 |
| Deposits | 1,044.64 | Deposits | 352.89 |
| Disbursements | -30,000.00 | Disbursements | -897.73 |
| Ending Balance | 7,270.32 | Ending Balance | 9,678.55 |
| Money Market/Savings | 173,669.05 | MM/Savings Balance | 170,418.16 |
| Due from CP/Glen Park | 0.00 |  | 0.00 |
| Total Fund Balance | 180,940.27 | Total Available Balance | 180,096.71 |

*\*outstanding loans $15,974.82 \*outstanding loans $24,275.28*

**Finance Committee/Approval of Abstract:** Trustee Sinsabaugh presented the following abstracts, and moved to approve all payments: General Fund Abstract (May) $1,025.50 and (June) $48,194.32; Recreation Commission $18,663.25; and Capital Projects $1,031.35. Trustee Burns seconded the motion, which carried unanimously.

**Tioga County Update:** Tioga County Legislator Mullen stated sales tax is increasing significantly and internet sales is way up. The county has received the first half of the American Recovery Act funding. They have hired a consultant, The Bondino Group, to help account for and spend correctly. This funding has many requirements and can be used for certain eligible items.

Mr. Mullen stated there were more tax bills paid up-to-date this year, which may be due to the stimulus. The county couldn’t foreclose on properties last year due to the pandemic’s emergency order, however, that may be lifted soon and the tax auction is being planned for August.

**Glen Park Project:** Mayor Ayres stated we are moving forward with the August 7th Rededication Event at the Glen Park. Invitations have been sent to all donors. The village will be providing food and music. The school will be running a shuttle from Lincoln Street School to the Glen during the event. Parking in the Glen will be limited to handicapped.

The tennis court has been repaired and waiting to see if the cracks reappear. We are holding the contractor’s retainage for now, and the contractor has no issue with that. Code Officer Robinson is coming up with detailed plans for the stage. We may be able to do most of the work ourselves.

**Village Hall Repairs:** Trustee Correll stated there are several places that the external brick needs to be repointed.

**Internet/Security at Parks:** Mayor Ayres stated he met with Tioga County IT Department and toured the areas that are in need of security cameras. The county recommended installation of the following:

Glen Park: 2 G4 Pro and 1 G4 Dome $1,100.00

Ithaca Street Park: 4 G4 Pro 1,800.00

WWTP: 2 G4 Bullet 400.00

Other Equipment: network security, recorder, drives 1,000.00

Total Costs: $4,300.00

Trustee Aronstam moved to approve the county’s recommendation as presented. Trustee Traub seconded the motion, which carried unanimously.

**Village Hall Trees:** Mayor Ayres stated there has been trees, brush, vines, etc growing on the edge of the Village Hall property along the fence and is concerning to our adjoining neighbor. He submitted two proposals to remove all the growth, but not including stumps. They are: Mattison’s Bucket Service $6,275, and Quality Tree Service $7,500. Trustee Correll moved to approve Mattison’s Bucket Service to clear the area as presented. Trustee Burns seconded the motion, which carried unanimously.

**Adjournment**: Trustee Sinsabaugh moved to adjourn at 7:32 p.m. Trustee Correll seconded the motion, which carried unanimously.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, JULY 27, 2021 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Trustees Present: Andrew Aronstam, Kyle Burns, Keith Correll, Kasey Traub, Jerry Sinsabaugh, and Mayor Patrick Ayres

Also present: Clerk Treasurer Michele Wood, and Attorney Betty Keene

Press: Johnny Williams of the Morning Times

**Public Comments:** Steve Mauersberg, 217 William Street, stated concern with his increase of his property tax bill. He stated he didn’t know that his taxes would go up. Evelyn Mattson, 216 William Street, stated the same concern with property taxes. Mayor Ayres stated that some taxes went up, some went down, and some stayed the same since we now use the Town of Barton’s Assessment Roll. He stated he would meet with Mr. Mauersberg and Ms. Mattison to go over their individual concerns.

Margaret Prinzi, 447 Chemung Street, stated the music concerts are great. She also stated the concerts at the Glen are not as easy to get too.

**Letters and Communications:** The clerk read a letter from Mary Sobel, of the Red Door Thrift Store, requesting a street closures for a free music and fellowship on August 27, 2021 between the hours of 10:00 a.m. and 5:00 p.m. She requested Park Avenue be closed between Broad Street and DePumpo Lane. The clerk stated Chief Gelatt reviewed and had no concerns. Trustee Aronstam moved to approve the street closure as requested, contingent upon submittal of proper insurance. Trustee Correll seconded the motion, which carried unanimously.

**Approval of Minutes:** Trustee Correll moved to approve the Minutes of June 22, 2021 as presented. Trustee Burns seconded the motion, which carried unanimously.

**Treasurer's Reports:** Clerk Treasurer Wood presented the following financial reports:

General Fund 5/1/21 – 5/31/21

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 257,344.81 | Current Revenues | 228,196.75 |
| Deposits | 195,497.59 | Year to Date Revenue | 3,327,272.07 |
| Disbursements | -176,850.66 | Current Expenditures | 195,258.56 |
| nding Balance | 275,991.74 | Year to Date Expended | 2,889,373.54 |

\*General Capital Reserve Fund, $291,124.66

\*Equipment Reserve Fund $100,045.64

General Fund 6/1/21 – 6/30/21

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 275,991.74 | Current Revenues | 2,232,224.53 |
| Deposits | 1,727,091.46 | Year to Date Revenue | 2,232,224.53 |
| Disbursements | -1,715,917.24 | Current Expenditures | 164,185.30 |
| nding Balance | 287,165.96 | Year to Date Expended | 164,185.30 |

\*General Capital Reserve Fund, $291,148.58

\*Equipment Reserve Fund $100,059.45

Capital Projects Fund 5/1/21 – 5/31/21

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Glen Park | WWTP Upgrade | Water Project | Restore NY |
| Beginning Balance | 132,889.47 | 831,410.64 | 92,274.10 | 379.98 |
| Deposits/Debits | 5,000.00 | 0.00 | 0.00 | 0.00 |
| Disbursements/Credits | -4,069.58 | -831,410.64 | 0.00 | 0.00 |
| Ending Balance | 133,819.89 | 0.00 | 92,274.10 | 379.98 |

\*Total Capital Projects Fund Balance $226,093.99

Capital Projects Fund 6/1/21 – 6/30/21

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Glen Park | WWTP Upgrade | Water Project | Restore NY |
| Beginning Balance | 133,819.89 | 0.00 | 92,274.10 | 379.98 |
| Deposits/Debits | 0.00 | 0.00 | 0.00 | 0.00 |
| Disbursements/Credits | -5,776.35 | 0.00 | 0.00 | 0.00 |
| Ending Balance | 128,043.54 | 0.00 | 92,274.10 | 379.98 |

\*Total Capital Projects Fund Balance $220,317.64

**Revenue Status Report:** The clerk submitted a report showing year-to-date revenues for May 2020 & 2021. The largest deficit is court fines of $15,444.24 (due to courts closed for 6 months for COVID-19).

|  |  |  |  |
| --- | --- | --- | --- |
| Month | YTD Previous Year YYyearYeYearYear | YTD Current Year | Current Status |
| August | 143,270.97 | 128,300.65 | -14,970.32 |
| September | 185,326.67 | 177,700.15 | -7,626.52 |
| October | 257,806.33 | 244,691.69 | -13,144.64 |
| November | 321,595.21 | 299,160.80 | -22,434.41 |
| December | 366,388.21 | 343,128.95 | -23,259.26 |
| January | 412,751.46 | 402,284.62 | -10,466.84 |
| February | 508,394.25 | 486,906.94 | -21,487.31 |
| March | 605,251.36 | 587,844.63 | -17,406.73 |
| April | 654,882.92 | 636,529.70 | -18,353.22  . |
| May | 782,181.19 | 793,500.57 | 11,319.38 |

The clerk submitted a report showing year-to-date revenues for June 2020 & 2021. She stated this is the first month of the new fiscal year, and the revenues will be reset.

|  |  |  |  |
| --- | --- | --- | --- |
| Month | YTD Previous Year YYyearYeYearYear | YTD Current Year | Current Status |
| June | 12,934.11 | 12,549.48 | -384.63 |

**Finance Committee/Approval of Abstract:** Trustee Sinsabaugh presented the following abstracts, and moved to approve all payments: General Fund Abstract (May) $1,350.00 and (June) $41,752.08; Cemetery $6,900.00; Recreation Commission $5,330.00; and Capital Projects $589.50. Trustee Burns seconded the motion, which carried unanimously.

**Glen Park Project:** Mayor Ayres reminded everyone that the Glen Park Rededication Event will be held next weekend, on August 7th, and urged the Board Members to attend.

Change Oder #3, Delta Engineers - Mayor Ayres stated Delta Engineering has requested additional funding of $1,085.00. He stated this is due to their extra work for the bridge and stage design as these were not covered in the original contract. Trustee Aronstam moved to approve the additional funding to as requested. Trustee Correll seconded the motion, which carried unanimously.

**NYCOM Fall Training School:** Trustee Aronstam moved to approve Clerk Treasurer Wood, Deputy Clerk Treasurer Hazen, Attorney Keene, and any Board Member to attend the NYCOM Fall Training School in Saratoga, NY on September 20-24, 2021 at a cost of $355 (first-time attendees $255) each, plus room and board. Trustee Traub seconded the motion, which carried unanimously.

**Mayor/Board Comments:** Trustee Sinsabaugh submitted a letter outlining concerns that the Friends of the Waverly Cemeteries have. Mayor Ayres suggested the Board review the concerns and discuss at the next meeting.

Mayor Ayres stated the Police Community Outreach Event (meet & greet) went very well. They had good attendance. They will be holding a few of these throughout the year.

**Executive Session:** Trustee Aronstam moved to enter executive session at 7:06 p.m. to discuss work history of an employee. Trustee Traub seconded the motion, which carried unanimously.

Trustee Traub moved to enter regular session at 7:35 p.m. Trustee Correll seconded the motion, which carried unanimously.

**Adjournment**: Trustee Sinsabaugh moved to adjourn at 7:36 p.m. Trustee Burns seconded the motion, which carried unanimously.

Respectfully submitted,

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Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, AUGUST 10, 2021 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Trustees Present: Andrew Aronstam, Kevin Sweeney, Kyle Burns, Keith Correll, Kasey Traub, Jerry Sinsabaugh, and Mayor Patrick Ayres

Also present: Clerk Treasurer Michele Wood, and Tioga County Legislator Dennis Mullen

Press: Johnny Williams of the Morning Times

**Public Comments:** Margaret Prinzi, 447 Chemung Street, stated Waverly Glen looks great. She also stated there are many sidewalks throughout the village that are in bad shape. Mayor Ayres recommended she write down the addresses and give to the clerk, who will forward to code enforcement.

Jack Hedrick, 200 Howard Street, stated there are a lot of car accidents at the intersection of Spaulding and Howard Streets. There is a tree in front of the stop sign that needs to be trimmed so the sign is more visible.

**Letters and Communications:** The clerk read a letter from Mary Sobel, of the Red Door Thrift Store, requesting a street closures for a Contemporary Christian Music Event on September 17, 2021 between the hours of 8:30 a.m. to 9:00 p.m. She requested Park Avenue be closed between Broad Street and DePumpo Lane. The clerk stated Chief Gelatt reviewed and had no concerns. Trustee Sinsabaugh moved to approve the street closure as requested, contingent upon submittal of proper insurance. Trustee Sweeney seconded the motion, which carried unanimously.

The clerk read a request for funding/donation from the Waverly Business Association. Discussion followed regarding the legal restraints on donations. The Board did not authorize a donation.

**Approval of Minutes:** Trustee Sweeney moved to approve the Minutes of July 13, 2021 as presented. Trustee Burns seconded the motion, which carried unanimously.

**Department Reports:** The clerk submitted a report for the Police Department.

**Finance Committee/Approval of Abstract:** Trustee Sinsabaugh presented the following abstracts, and moved to approve all payments: General Fund Abstract $141,254.32. Trustee Burns seconded the motion, which carried unanimously.

**Capital Projects Abstract:** Trustee Aronstam moved to approve the following expenditures be paid from the Capital Projects Fund. Trustee Traub seconded the motion, which carried unanimously.

|  |  |  |  |
| --- | --- | --- | --- |
| Vendor | Project | Invoice | Amount |
| RB Robinson Contracting | Glen Park | 2 | $ 93,797.30 |
| Broome Bituminous | Glen Park | 056475 | 16,383.68 |
| Total |  |  | 110,180.98 |

**Tioga County Update:** Tioga County Legislator Mullen stated the county is looking at the foreclosure auction for September. He stated the Tioga County Mental Health Department is very interested in the wing, however, bottom line is the cost.

**Glen Park Project:** Mayor Ayres stated the Glen Park Rededication Event went very well. A lot of people attended and the weather was great. He thanked everyone that helped with the event.

**Cemetery Concerns:** Cemetery Coordinator Ron Keene submitted a list of concerns with the cemeteries. He stated the main concern is clarifying who is responsible for what within the workforce. Mayor Ayres recommended a committee work on addressing these concerns and possibly finding alternatives. Trustee Traub offered to work with Trustee Sinsabaugh and Ron Keene on these.

**Additional Paving:** Mayor Ayres stated we have money left from CHIPS and DPW Lead Jack Pond would like to do additional paving. He would provide the list at the next meeting. There is enough funding to cover the additional streets.

Mayor Ayres also stated the East Waverly Park (Al Spardaro Way) is in major need of paving. He stated that the road in the park, and the parking area would not be eligible for CHIPS reimbursement. The estimated cost of paving the park would be approximately $17,000. Trustee Burns moved to approve paving East Waverly Park (Al Spadaro Way) and the parking area as presented. Trustee Traub seconded the motion, which carried unanimously.

**Allowable Use for ARPA Funding:** Mayor Ayres stated he was on the webinar that discussed allowable uses under the ARPA (American Rescue Plan Act) Funding. It was very confusing and not very clear. He suggested we may need to hire someone to help guide us through it. He would reach out to Thoma Development.

**Court Clerks Conference:** The clerk read a letter from Village Justice Gorman requesting Court Clerk Lynette Nickels be approved to attend the NYS Association of Magistrates Court Clerks Conference on September 12-15, 2021 in Albany, NY. The cost is $65 plus room and board. Trustee Sinsabaugh moved to approve as presented. Trustee Correll seconded the motion, which carried unanimously.

**Sidewalk Block Reimbursement Program:** The clerk submitted an application from Chris MacNeal, 478 Waverly Street, for reimbursement of three (3) sidewalk blocks. The pre-inspection will be done by Code Enforcement, once he returns from vacation. Trustee Aronstam moved to approve reimbursement of $300 as set forth by the program, pending Code Enforcement’s inspection. Trustee Correll seconded the motion, which carried unanimously.

**Mayor/Board Comments:** Trustee Sweeney stated Michael Hughes recently passed away. He was a Veteran, retired postal worker, served as a Sewer Commissioner, and coached sports for many years. His passing is a great loss to our community. The Board agreed.

**Executive Session:** Trustee Burns moved to enter executive session at 7:43 p.m. to discuss work history of an employee. Trustee Traub seconded the motion, which carried unanimously.

Trustee Aronstam moved to enter regular session at 7:56 p.m. Trustee Correll seconded the motion, which carried unanimously.

Trustee Correll moved to increase Kay Robinson’s hourly wage to $14 per hour, retroactive to June 1, 2021, as she has taken on more responsibility and helping in the Clerk’s Office. Trustee Sweeney seconded the motion, which carried unanimously.

**Adjournment**: Trustee Sinsabaugh moved to adjourn at 7:59 p.m. Trustee Traub seconded the motion, which carried unanimously.

Respectfully submitted,

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Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, AUGUST 24, 2021 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Trustees Present: Andrew Aronstam, Kevin Sweeney, Kyle Burns, Keith Correll, Kasey Traub, Jerry Sinsabaugh, and Mayor Patrick Ayres

Also present: Clerk Treasurer Michele Wood, and Attorney Betty Keene

Press: Erik Berggren of the Morning Times

**Public Comments:** No comments were offered.

**Approval of Minutes:** Trustee Correll moved to approve the Minutes of July 27, 2021 as presented. Trustee Sinsabaugh seconded the motion, which carried unanimously.

**Presentation from Tri-County Rural Electric Cooperative, Inc.:** Rachel Houser, of Tri-County Rural Electric Cooperative, Inc., stated they were in the process of purchasing the electric service in our area, which is currently serviced by Penelec. They have been in business since 1936. This acquisition will consist of approximately 3,800 customers (Waverly and Town of Barton), 100 miles of line, and 2 substations. They are also planning to have a local district office in our area. Member services will include level billing, 24-hour call center, energy audits, appliance rebates, co-op connections card, youth tours, and scholarships. The acquisition could be complete by May 2022.

**Treasurer's Reports:** Clerk Treasurer Wood presented the following financial reports:

General Fund 7/1/21 – 7/31/21

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 287,165.96 | Current Revenues | 74,452.87 |
| Deposits | 686,499.34 | Year to Date Revenue | 2,306,677.40 |
| Disbursements | -747,983.73 | Current Expenditures | 242,732.58 |
| nding Balance | 225,681.57 | Year to Date Expended | 406,917.88 |

\*General Capital Reserve Fund, $291,173.30

\*Equipment Reserve Fund $168,073.72

Cemetery Fund 7/1/21 – 7/31/21

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 12,251.94 | Current Revenues | 604.04 |
| Deposits | 1,200.00 | Year to Date Revenue | 2,557.95 |
| Disbursements | -7,720.09 | Current Expenditures | 7,120.09 |
| Ending Balance | 5,731.85 | Year to Date Expended | 21,153.16 |

\*Perpetual Care Fund $33,678.49

Loan Programs 7/1/21 – 7/31/21

|  |  |  |  |
| --- | --- | --- | --- |
| Business Loans |  | Rehab Loans | Balances |
| Beginning Balance | 7,270.32 | Beginning Balance | 9,678.55 |
| Deposits | 430.96 | Deposits | 802.29 |
| Disbursements | 0.00 | Disbursements | 0.00 |
| Ending Balance | 7,701.28 | Ending Balance | 10,480.84 |
| Money Market/Savings | 173,687.70 | MM/Savings Balance | 170,432.63 |
| Due from CP/Glen Park | 0.00 |  | 0.00 |
| Total Fund Balance | 181,388.98 | Total Available Balance | 180,913.47 |

*\*outstanding loans $15,579.06 \*outstanding loans $23,407.23*

Capital Projects Fund 7/1/21 – 7/31/21

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Glen Park | WWTP Upgrade | Water Project | Restore NY |
| Beginning Balance | 128,043.54 | 0.00 | 92,274.10 | 379.98 |
| Deposits/Debits | 500.00 | 0.00 | 503,939.03 | 0.00 |
| Disbursements/Credits | -1,674.50 | 0.00 | -503,939.03 | 0.00 |
| Ending Balance | 126,869.04 | 0.00 | 92,274.10 | 379.98 |

\*Total Capital Projects Fund Balance $219,143.14

**Revenue Status Report:** The clerk submitted a report showing year-to-date revenues for July 2020 & 2021.

|  |  |  |  |
| --- | --- | --- | --- |
| Month | YTD Previous Year YYyearYeYearYear | YTD Current Year | Current Status |
| June | 12,934.11 | 12,549.48 | -384.63 |
| July | 78,494.22 | 87,002.35 | 8,508.13 |

**Finance Committee/Approval of Abstract:** Trustee Sinsabaugh presented the following abstracts, and moved to approve all payments: General Fund Abstract $53,137.67; Cemetery Fund $6,900.00; and Recreation Commission $900.47. Trustee Sweeney seconded the motion, which carried unanimously.

**Tioga County Update:** Trustee Aronstam stated there has been good conversation with Tioga County regarding the Village Hall Wing. He should have more information in the future.

**Village Hall Repairs:** Trustee Correll stated there was a roof leak in the Recreation Office. A section of ceiling was destroyed. We called Gary Webster and Jeff Paul to look at. Jeff Paul found a roof drain that was not properly connected when installed and popped off. It has been repaired.

**Procurement Policy:** The Board reviewed the Procurement Policy, and the only change was under Purchase Contract II, was changed to $19,999 (from $9,999). The revised policy is as follows:

# PROCUREMENT POLICY

Each Department Head will be responsible to make a good faith effort to determine whether it is known or can reasonably be expected the aggregate amount to be spent on an item of supply or services is not subject to competitive bidding, taking into account past purchases and the aggregate amount to be spent in a year. When it is determined that supplies or equipment will surpass the bidding limit as set forth in Section 103 of the General Municipal Law, the Department Head will notify the treasurer and a recommendation will be made to the proper Board as to the availability of purchase under state or county contract or to advertise for open bid.

The following method of purchase will be used in order to achieve the highest savings:

Estimated Amount of Purchase Contract Method

I. $1,000 - $4,999 2 written quotations

II. $5,000 - $19,999 3 written or fax quotations or written request for proposals

Estimated Amount of Public Works Contract Method

III. $2,500 - $7,499 2 written quotations

IV. $7,500 - $34,999 3 written or fax quotations or written request for proposals

Each Department Head is to complete a memorandum, setting forth the service to be provided or item(s) to be purchased, price quotation, and identifying the person or company making the quotation.

Each such written quotation or request for proposal must contain the service to be provided or item(s) to be purchased, price quotation, and identifying the person or company making the quotation.

A good faith effort shall be made to obtain the required number of proposals or quotations. If the Department Head is unable to obtain the required number of proposals or quotations, the Department Head will document the attempt made at obtaining the proposals. In no event shall the failure to obtain the proposals be a bar to the procurement.

Documentation and an explanation are required whenever a contract is awarded to other than the lowest responsible offer. This documentation will include an explanation of how the award will achieve savings or how the lowest offer was not responsible.

New York Municipal Law, as amended by Chapter 608 of the Laws of 2011 and Chapter 2 of the Laws of 2012, authorizes villages to award purchase and service contracts subject to competitive bidding under General Municipal Law § 103 based on either lowest responsible bidder or "best value," as defined in §163 of the New York State Finance Law. This best-value option may be, but is not required to be, used to award an applicable purchase contract to optimize quality, cost, and efficiency among responsive and responsible offers instead of the lowest responsible bidder. Please refer to the *Code of the Village of Waverly, Chapter 113*.

This policy will be reviewed annually.

All documentation required by this Procurement Policy shall be submitted with the monthly expense vouchers for review by the respective finance committees of each department.

Minority and Women-Owned Business Enterprise (M/WBE) Business Participation in Procurement and Contracting: In an effort to affirmatively increase procurement and contracting opportunities for minority and women-owned business enterprises, the Village of Waverly will solicit up to three MBE’s and/or WBE’s as part of its procurement process, when appropriate.

Solicitation may be undertaken via advertisements in minority publications or direct outreach by letter or email to identified State-certified M/WBE’s, or by working with a clearinghouse such as the Syracuse Minority Business Development Center. The Village of Waverly’s established purchase/contracting thresholds will apply.

For purposes of the above, the M/WBE must be certified by Empire State Development (ESD) through the Division of Minority and Women Business Development (DMWBD). The Village of Waverly will keep documentation of M/WBE solicitation in its records and any response(s) thereto.

Section 3 Business Participation in Procurement and Contracting: For federally funded projects or activities subject to Section 3 of 24 CFR Part 135 of the Housing and Urban Development Act of 1968, as amended, the Village will, to the greatest extent feasible, facilitate participation of Section 3 residents and Section 3 Participation Plan. Solicitation may be undertaken via advertisements in local publications encouraging Section 3 participation, or direct outreach by letter or email to identified Section 3 businesses or individuals included on the Department of Housing and Urban Development’s Section 3 Businesses Registry. The Village of Waverly’s established purchase/contracting thresholds will apply.

The Village of Waverly will keep documentation of Section 3 solicitation in its records and any response(s) thereto.

Labor Surplus Area Business Participation in Procurement and Contracting: The Village of Waverly will solicit bids or quotes for federally funded projects from at least one business located in a labor surplus area (LSA) as defined by the US Department of Labor. The Village will access information on eligible labor surplus areas for the most current time period through the NYS Department of Labor. Quotes or bids from a business or businesses in an LSA or LSA’s will be solicited directly by phone, email, or letter. The Village of Waverly’s established purchase/contracting thresholds will apply.

The Village of Waverly will keep documentation of LSA solicitation in its records and any response(s) thereto.

**Aflac:** The clerk stated the Police are interested in acquiring Aflac Insurance. She submitted handouts. She stated this would be completely voluntary and paid 100% by the employee. There is no cost to the Village. Trustee Aronstam moved to approve any employee or Board Member to enroll in Aflac if they wanted to, and paying 100% of the costs. Trustee Burns seconded the motion, which carried unanimously.

**Electronic Speed Detection Sign:** The clerk submitted a request from Chief Gelatt requesting to purchase a new electronic speed detection sign. The sign we have now is no longer functional due to technology and battery limitations. He submitted a proposal from Kustom Signals, Inc for a new sign in the amount #3,136, which is under NYS Contract #PC68531. Trustee Correll moved to approve purchase of sign as presented. Trustee Aronstam seconded the motion, which carried unanimously.

**Additional ARPA Funding:** The clerk stated that we received notice from NYS Division of Budget, that we will be receiving an additional $1,716.12 in ARPA Funding. We will receive 858.06 this year, and the other half next year.

**Additional Paving:** Mayor Ayres submitted a quote from Broome Bituminous, in the amount of $75,579.90, not including mobilization, crew, and equipment, to pave the following streets:

Charles Street, entire

Ithaca Street, from Bridge to Charles Street

Fulton Street, from Broad Street to Chemung Street

Elizabeth Street, entire

Erie Street, entire, overlay only

Mayor Ayres also stated the East Waverly Park (Al Spardaro Way) will also be paved, however, it doesn’t fall under CHIPS. The Board approved up to $17,000 at the last meeting, however, the quote came in at $17,693 not including crew and equipment. Trustee Correll moved to approve all the quotes from Broome Bituminous, as presented under NYS Contract #PC69269. Trustee Sinsabaugh seconded the motion, which carried unanimously.

**Cemetery Concerns:** Trustee Sinsabaugh asked if the hedges could get trimmed at Forest Home Cemetery. Mayor Ayres stated he would put note in DPW’s box.

**Adjournment**: Trustee Traub moved to adjourn at 7:55 p.m. Trustee Correll seconded the motion, which carried unanimously.

Respectfully submitted,

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Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, SEPTEMBER 14, 2021 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Trustees Present: Andrew Aronstam, Kevin Sweeney, Kyle Burns, Keith Correll, Kasey Traub, and Mayor Patrick Ayres

Also present: Clerk Treasurer Michele Wood, Code Enforcement Officer Chris Robinson, Attorney Betty Keene, and Tioga County Legislator Dennis Mullen

Press: Johnny Williams of the Morning Times

**Tinsel & Lights:** Kim Depew stated the Tinsel & Lights Event has been a free festival for many years due to the generosity and of businesses and the partnership with the village. It was cancelled last year due to the pandemic. Ms. Depew stated there is a lot of interest in it this year. She requested use of Muldoon Park on December 10, 2021 between the hours of 5:00-8:00 p.m. for this event. She also requested help from the Parks & Recreation Department. Mayor Ayres stated she would need to discuss the needs with the department head. Trustee Correll moved to approve the use of Muldoon Park for this event as requested, contingent upon providing proper insurance to the clerk. Trustee Sweeney seconded the motion, which carried unanimously.

**Public Comments:** Linda Vogel, 201 Broad Street, stated the shrubs at Forest Home Cemetery were only half trimmed. Mayor Ayres stated when the DPW started to trim, they disrupted a bee infestation and could not finish at that time. They will be going back to finish. Ms. Vogel also stated there is a tree near the VFW on Broad Street that is dead and should be removed.

Ron Keene, 7 Elliott Street, stated there is high grass in the medium of Cayuta Avenue which is a state road. Mayor Ayres stated he would discuss with DPW. Mr. Keene also stated there is a vacant house on Moore Street with smashed windows. Mayor Ayres referred him to discuss with Code Enforcement.

**Approval of Minutes:** Trustee Burns moved to approve the Minutes of August 10 and August 24, 2021 as presented. Trustee Traub seconded the motion, which carried unanimously.

**Department Reports:** The clerk submitted reports from the Police Department, Parks & Recreation, and Code Enforcement. Code Officer Robinson stated 460 Broad Street is getting bad again.

**Treasurer's Reports:** Clerk Treasurer Wood presented the following financial reports:

General Fund 8/1/21 – 8/31/21

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 225,681.57 | Current Revenues | 62,177.22 |
| Deposits | 363,788.33 | Year to Date Revenue | 2,368,854.62 |
| Disbursements | -316,647.79 | Current Expenditures | 308,531.95 |
| Ending Balance | 272,822.11 | Year to Date Expended | 715,449.83 |

\*General Capital Reserve Fund, $291,198.02

\*Equipment Reserve Fund $168,087.98

Cemetery Fund 8/1/21 – 8/31/21

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 5,731.85 | Current Revenues | 1,504.04 |
| Deposits | 1,500.00 | Year to Date Revenue | 4,061.99 |
| Disbursements | -7,120.09 | Current Expenditures | 7,120.09 |
| Ending Balance | 111.76 | Year to Date Expended | 28,273.25 |

\*Perpetual Care Fund $33,678.49

Loan Programs 8/1/21 – 8/31/21

|  |  |  |  |
| --- | --- | --- | --- |
| Business Loans |  | Rehab Loans | Balances |
| Beginning Balance | 7,701.28 | Beginning Balance | 10,480.84 |
| Deposits | 2,720.00 | Deposits | 66.79 |
| Disbursements | -5,000.00 | Disbursements | -5,000.00 |
| Ending Balance | 5,421.28 | Ending Balance | 5,547.63 |
| MM/Savings Balance | 178,699.46 | MM/Savings Balance | 175,447.11 |
| Total Fund Balance | 184,120.74 | Total Available Balance | 180,994.74 |

*\*outstanding loans $12,874.78 \*outstanding loans $23,082.86*

Capital Projects Fund 8/1/21 – 8/31/21

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Glen Park | WWTP Upgrade | Water Project | Restore NY |
| Beginning Balance | 126,869.04 | 0.00 | 92,274.10 | 379.98 |
| Deposits/Debits | 1,000.00 | 0.00 | 0.00 | 0.00 |
| Disbursements/Credits | -110,180.98 | 0.00 | 0.00 | 0.00 |
| Ending Balance |  | 0.00 | 92,274.10 | 379.98 |

\*Total Capital Projects Fund Balance $219,143.14

**Revenue Status Report:** The clerk submitted a report of year-to-date revenues for August 2020 & 2021.

|  |  |  |  |
| --- | --- | --- | --- |
| Month | YTD Previous Year YYyearYeYearYear | YTD Current Year | Current Status |
| June | 12,934.11 | 12,549.48 | -384.63 |
| July | 78,494.22 | 87,002.35 | 8,508.13 |
| August | 131,028.55 | 148,387.52 | 17,358.97 |

**Finance Committee/Approval of Abstract:** Trustee Burns presented the following abstracts, and moved to approve all payments: General Fund Abstract $144,235.58. Trustee Traub seconded the motion, which carried unanimously.

**Tree Bid Package:** The clerk presented a bid package for trimming and removing trees. The Board reviewed its contents, and dated the bid opening for October 12, 2021. Mayor Ayres stated he would have the tree near the VFW looked at and possibly add to the bid. Trustee Burns moved to put the tree work out for bid, and the clerk to advertise the same. Trustee Correll seconded the motion, which carried unanimously.

**JCAP Grant Authorization:** The clerk presented a letter from Village Justice Richard Gorman requesting authorization to file a grant application for the 2021-2022 NYS Justice Court Assistance Program (JCAP). Trustee Burns moved to authorize the Village of Waverly’s Justice Court to apply for a JCAP Grant in the 2021-2022 grant cycle up to $30,000.00. Trustee Sweeney seconded the motion, which led to a roll call vote as follows:

Ayes – 6 (Burns, Sweeney, Aronstam, Ayres, Traub, Correll)

Nays – 0

Absent – 1 (Sinsabaugh)

The motion passed unanimously.

**Sidewalk Block Reimbursement Program:** The clerk submitted an application from Gary Walker, 435 Pennsylvania Avenue, for reimbursement of seven (7) sidewalk blocks. The pre-inspection was done by Code Officer Robinson. Trustee Aronstam moved to approve reimbursement of $700 as set forth by the program, pending Code Enforcement’s final inspection. Trustee Correll seconded the motion, which carried unanimously.

**Tioga County Update:** Dennis Mullen stated the tax foreclosure moratorium has been lifted, and the auction will be done in September/October. The Board could discuss options with Land Bank, if interested. Mr. Mullen also stated the county has hired a consultant to help manage the ARPA funds.

**ARPA/Stimulus Funding:** Mayor Ayres stated he and Clerk Treasurer Wood attended a ZOOM Meeting with the county, and their consultant, regarding ARPA funding. He stated we need to calculate any lost revenue. Any lost revenue could come out of ARPA and be used with no restrictions.

**Village Hall Repairs:** Trustee Correll stated he is looking at some things but nothing to discuss at this point. Mayor Ayres stated there was no leaking during the recent rain after the roof was repaired.

**Trick or Treat Night:** Mayor Ayres stated South Waverly, Sayre, and Athens have coordinated their night for Trick or Treat, to help keep kids in their own neighborhoods. Trustee Traub moved to approve Trick or Treat be held on October 28th from 6:00 to 7:30 p.m. in coordination with the other valley municipalities. Trustee Aronstam seconded the motion, which carried unanimously.

**MRTA/Marijuana Regulation and Taxation Act:** Mayor Ayres stated the clerk emailed information to the Trustees regarding Adult Use Cannabis. He stated Elaine Jardine, Tioga County Planning Director, will attend our next meeting to go over the information and give a presentation. He urged to Board to review the information and any questions could be referred to Ms. Jardine at the next meeting. The deadline to opt out is December 31, 2021, therefore, this will stay on the agenda for conversation.

**Executive Session:** Trustee Correll moved to enter executive session at 7:10 p.m. to discuss work histories of three employees. Trustee Burns seconded the motion, which carried unanimously.

Trustee Aronstam moved to enter regular session at 7:41 p.m. Trustee Correll seconded the motion, which carried unanimously.

Trustee Aronstam moved to promote Ken Park to Equipment Operator at the contractual rate of $17.89 per hour, as he has prior experience and is able to use all the equipment. This is effective September 17, 2021. Trustee Correll seconded the motion, which led to a roll call vote as follows:

Ayes – 6 (Burns, Sweeney, Aronstam, Ayres, Traub, Correll)

Nays – 0

Absent – 1 (Sinsabaugh)

The motion passed unanimously.

**Adjournment**: Trustee Correll moved to adjourn at 7:45 p.m. Trustee Traub seconded the motion, which carried unanimously.

Respectfully submitted,

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Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, SEPTEMBER 28, 2021 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Trustees Present: Andrew Aronstam, Jerry Sinsabaugh, Kevin Sweeney, Kyle Burns, Keith Correll, Kasey Traub, and Mayor Patrick Ayres

Also present: Clerk Treasurer Michele Wood, Code Enforcement Officer Chris Robinson, Attorney Betty Keene, and Tioga County Planning Director Elaine Jardine

**Public Comments:** Cameron VanNorman, of the WBA, stated concern with smoking marijuana on Broad Street or in public as he believes it is very inappropriate. He saw an incident on Broad Street and reported it to the police. He also stated concern with the current “gifting” activity on Broad Street as it is not yet legal to sell marijuana, and how is it allowed to have a large quantity on site. Mayor Ayres stated there seem to be loopholes in the system and the business owners are taking advantage of it. We are currently looking into what and if anything we can do. He also stated the “gifting” is a statewide issue.

Margaret Prinzi, 447 Chemung Street, thanked Code Enforcement for all the new sidewalks going in. She also asked the Board if there would be a discussion with Chief Gelatt regarding the new marijuana law. Mayor Ayres stated this topic will remain on the agenda until resolved.

Eric Gutierrez, 496 Fulton Street, stated he is hoping that marijuana is not made readily available in the village. He stated concerns that kids will have access to it, if it’s here.

Megan Dicivson, 334 Broad Street, the valley has a lot of drug issues already and allowing sales in the village would only add to that. She also stated she feels this would attract “bad people” to the village and would deter from other businesses.

Jason Clowski, 150 Broad Street, stated concern with how it may impact his business.

Eric Eberlin, owner of Mile High Accessories at 315 Broad Street, stated he wants to be a good neighbor and strives to make his business very professional and acceptable. He is willing to hear concerns that people have.

Ron Keene, 7 Elliott Street, asked if these shops ever got permission to open from the village or went through the Planning Board.

**Letters and Communications:** The clerk read a letter from Reverend Sharan Knoell, of the Valley United Presbyterian Church. She requested the use of Muldoon Park on October 17, 2021 from (2:30-4:30 p.m.) for a Blessing of the Pets Service. Trustee Traub moved to approve the request as presented, and to waive the regular rental fee. Trustee Burns seconded the motion, which carried unanimously.

**Finance Committee/Approval of Abstract:** Trustee Sinsabaugh presented the following abstracts, and moved to approve all payments: General Fund Abstract $48,331.38; Cemetery Fund Abstract $6,934.43; and Recreation Commission Abstract $3,304.88. Trustee Burns seconded the motion, which carried unanimously.

**ARPA/Stimulus Funding:** Clerk Treasurer Wood stated she did a quick calculation and we may be able to claim some ARPA Funding as lost revenue. She stated she is unsure that her calculation is correct and will reach out to Tioga County for help.

**Concerns in Cemeteries:** Trustee Traub stated he, Trustee Sinsabaugh, and Ron Keene met and discussed some issues. He believes that some issues can be easily addressed just by being absorbed in staff activities. They will continue to meet and discuss issues.

**MRTA/Marijuana Regulation and Taxation Act:** Elaine Jardine presented handouts of information regarding MRTA. She stated she does not take any position on MRTA and just offering facts. There is currently no regulations or licensing. These will probably not be available until the end of 2022 or early 2023. She proceeded to present the informational handout and answer any questions that were asked. Villages can only choose to opt-out of allowing retail dispensaries, and/or on-site consumption. If the village wants to opt-out of one or both, they must pass a local law by December 31, 2021. If the village doesn’t pass a local law to opt out of allowing retail dispensaries and/or on-site consumption, then it/they will be allowed, once licensing is available. She stated the village can address other concerns through zoning.

Ms. Jardine stated there is an extra tax (revenue) of 4% that will be given back to the community where the sites are located. If the village opts-out of both, they will not receive any of the revenue. If they opt-in to one or both, the revenue (tax) will be divided as 1% will go to the county, and the remaining 3% will be divided equally between the village and the town, only if the town does not opt- out. If the town opts-out, and the village opts-in, the village would receive the entire 3%. The village and the town can enter into an agreement as to how they would like the 3% to be divided. The town (outside the village) does not have to share their revenue (tax) with the village.

Mayor Ayres stated there is a lot of information to review and a sensitive subject. He recommended a committee work together to review and come back with insight to the next meeting. He asked Trustee Aronstam to head the committee, and bring in Police Chief Gelatt, Attorney Keene, Clerk Treasurer Wood, School Superintendent Eric Knolles, and Cameron VanNorman (WBA) for their input. Trustee Aronstam accepted.

**Letter of Resignation:** The clerk read a Letter of Resignation from Jack Pond, Group Leader of the DPW, stating after 18 years with the Village he will be retiring on September 30, 2021. He thanked everyone for all their help throughout his career. Mayor Ayres accepted his Letter of Resignation. He and the Board thanked Mr. Pond for his many years with the village and wished him well in the future.

Trustee Traub moved to promote Equipment Operator Lance Fraley to Group Leader of the DPW effective on October 1, 2021. As this position is not contractual, Mr. Fraley will remain at his contractual pay rate, but will receive a weekly stipend of $75 for his increased responsibilities. Trustee Correll seconded the motion, which led to a roll call vote as follows:

Ayes – 7 (Sinsabaugh, Burns, Sweeney, Aronstam, Traub, Correll, Ayres)

Nays – 0

The motion passed unanimously.

**Sidewalk Block Reimbursement Program:** The clerk submitted an application from Amy Waters, 439 Pennsylvania Avenue, for reimbursement of one (1) sidewalk block. The pre-inspection was done by Code Officer Robinson. Trustee Aronstam moved to approve reimbursement of $100 as set forth by the program, pending Code Enforcement’s final inspection. Trustee Sinsabaugh seconded the motion, which carried unanimously.

**CPA Auditing Services:** The clerk submitted engagement letters from Insero & Company for auditing services of the Village Government not to exceed of $11,300 and one for the Justice Court not to exceed $1,500. Trustee Correll moved to engage Insero & Company for both the Village Government and the Justice Court audits, as presented. Trustee Sinsabaugh seconded the motion, which carried unanimously.

**Executive Session:** Trustee Traub moved to enter executive session at 8:04 p.m. to discuss a contractual issue. Trustee Correll seconded the motion, which carried unanimously.

Trustee Traub moved to enter regular session at 8:19 p.m. Trustee Sinsabaugh seconded the motion, which carried unanimously.

**Adjournment**: Trustee Sinsabaugh moved to adjourn at 8:25 p.m. Trustee Sweeney seconded the motion, which carried unanimously.

Respectfully submitted,

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Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, OCTOBER 12, 2021 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Trustees Present: Andrew Aronstam, Kevin Sweeney, Kyle Burns, Keith Correll, Jerry Sinsabaugh, and Mayor Patrick Ayres

Also present: Clerk Treasurer Michele Wood, and Attorney Betty Keene

Press: Johnny Williams of the Morning Times

**Public Comments:** There were no comments offered.

**Approval of Minutes:** Trustee Burns moved to approve the Minutes of September 14, and September 28, 2021 as presented. Trustee Correll seconded the motion, which carried unanimously.

**Department Reports:** The clerk submitted reports from the Police Department, Parks & Recreation, and Code Enforcement.

**Treasurer's Reports:** Clerk Treasurer Wood presented the following financial reports:

General Fund 9/1/21 – 9/30/21

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 272,822.11 | Current Revenues | 50,370.78 |
| Deposits | 369,701.73 | Year to Date Revenue | 2,419,225.40 |
| Disbursements | -323,761.06 | Current Expenditures | 301,776.28 |
| Ending Balance | 318,762.78 | Year to Date Expended | 1,017,226.11 |

\*General Capital Reserve Fund, $291,221.95

\*Equipment Reserve Fund $168,101.80

Cemetery Fund 9/1/21 – 9/30/21

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 111.76 | Current Revenues | 17,303.91 |
| Deposits | 17,300.00 | Year to Date Revenue | 21,365.90 |
| Disbursements | -220.09 | Current Expenditures | 7,154.52 |
| Ending Balance | 17,191.67 | Year to Date Expended | 35,427.77 |

\*Perpetual Care Fund $33,678.49

Loan Programs 9/1/21 – 9/30/21

|  |  |  |  |
| --- | --- | --- | --- |
| Business Loans |  | Rehab Loans | Balances |
| Beginning Balance | 5,421.28 | Beginning Balance | 5,547.63 |
| Deposits | 732.90 | Deposits | 147.34 |
| Disbursements | -300.00 | Disbursements | 0.00 |
| Ending Balance | 5,854.18 | Ending Balance | 5,694.97 |
| MM/Savings Balance | 178,714.14 | MM/Savings Balance | 175,461.53 |
| Total Fund Balance | 184,568.32 | Total Available Balance | 181,156.50 |

*\*outstanding loans $12,474.59 \*outstanding loans $22,677.94*

Capital Projects Fund 9/1/21 – 9/30/21

|  |  |  |  |
| --- | --- | --- | --- |
|  | Glen Park | Water Project | Restore NY |
| Beginning Balance | 17,688.06 | 92,274.10 | 379.98 |
| Deposits/Debits | 0.00 | 0.00 | 0.00 |
| Disbursements/Credits | 0.00 | 0.00 | 0.00 |
| Ending Balance | 17,688.06 | 92,274.10 | 379.98 |

\*Total Capital Projects Fund Balance $109,274.16

**Revenue Status Report:** The clerk submitted year-to-date revenues for September 2020 & 2021.

|  |  |  |  |
| --- | --- | --- | --- |
| Month | YTD Previous Year YYyearYeYearYear | YTD Current Year | Current Status |
| June | 12,934.11 | 12,549.48 | -384.63 |
| July | 78,494.22 | 87,002.35 | 8,508.13 |
| August | 131,028.55 | 148,387.52 | 17,358.97 |
| September | 175,428.05 | 198,758.30 | 23,330.25 |

**Finance Committee/Approval of Abstract:** Trustee Sinsabaugh presented the following abstract, and moved to approve all payments: General Fund Abstract $19,241.40. Trustee Burns seconded the motion, which carried unanimously.

**MRTA/Marijuana Regulation and Taxation Act:** Mayor Ayres stated a committee was formed at the last meeting to gather information. Committee members were Trustee Aronstam, Police Chief Gelatt, School Superintendent Knolles, Cameron VanNorman with the WBA, Clerk Treasurer Wood, and Attorney Keene. He asked Trustee Aronstam to summarize the information from the committee.

Trustee Aronstam stated the committee met. He stated it is not whether we want marijuana legal or illegal because the State already legalized it. The committee’s discussion was only regarding if we wanted to opt out of allowing retail dispensaries and/or onsite consumption centers. He stated the committee was all in agreement to opt out of allowing onsite consumption centers. The committee was in agreement with allowing retail dispensaries. The discussion was based on it being legal to use, controlling good and safe product, will be regulated by the state, delivery is legal and not an option to opt out of, surrounding municipalities may be allowing, can be further regulated through zoning, and it can be a good revenue source for the village which could help offset taxes. Trustee Aronstam stated the recommendation from the committee is to opt out of onsite consumption centers, and allow retail dispensaries.

Cameron VanNorman stated he agreed with the consensus. He felt it was better to have control than to not have. He had to put personal feelings aside and feels more controls the better. He stated he hopes this would run out the illegal sales from the area.

Attorney Keene stated she agreed with no onsite consumption and has no issues with the legal sales. She is sure that NYS will regulate it pretty well.

Trustee Sinsabaugh stated concern that these places will be everywhere and that zoning should be looked at soon. Mayor Ayres agreed with him and stated it will be looked at through zoning.

Trustee Burns stated he agrees the revenue would help, however, he feels this is a slippery slope. He stated there are other illegal drugs in the area and asked if they should be made legal too.

Trustee Aronstam moved to direct Attorney Keene to draft a local law to opt out of allowing marijuana onsite consumption centers within the village. Trustee Sinsabaugh seconded the motion, which led to a roll call vote and resulted as follows:

Ayes – 6 (Burns, Sweeney, Aronstam, Ayres, Sinsabaugh, Correll)

Nays – 0

Absent – 1 (Traub)

The motion passed.

**ARPA/Stimulus Funding:** The clerk stated she did a quick calculation on lost revenue and it became very complicated, therefore, she doesn’t feel her calculation is correct. She reached out to The Bondio Group, who Tioga County has hired to help with their ARPA funding, and they can do the calculation for us. She stated she would feel more comfortable if the calculation was correct as we would need to pay it back if it wasn’t. The Bondio Group will charge $340 per hour, and it usually takes around 3 hours. Trustee Burns moved to hire The Bondio Group as presented. Trustee Correll seconded the motion, which carried unanimously.

**Concerns in Cemeteries:** Trustee Sinsabaugh stated he would meet with the group and the DPW to see what issues can be fixed, and what issues need more attention.

**Glen Park Update:** Mayor Ayres stated Park Laborer Wayne Place did forms for the stage and poured it today, and it looks great. The high school students are helping with this project and getting some good hands-on experience.

**Tree Bid Opening:** Mayor Ayres opened one bid for removing/trimming trees. It was from Mattison’s Bucket Service in the amount of 12,750. Discussion followed. Trustee Burns moved to approve the bid and hire Mattison’s Bucket Service as presented. Trustee Aronstam seconded the motion, which led to a roll call vote and resulted as follows:

Ayes – 6 (Burns, Sweeney, Aronstam, Ayres, Sinsabaugh, Correll)

Nays – 0

Absent – 1 (Traub)

The motion passed.

**Purchase of Police Vehicle:** Trustee Sinsabaugh stated he and Chief Gelatt discussed replacement of the 2017 Ford Police IU (Interceptor Utility, Explorer) with a 2022 Ford Responder. The Responder is a new type of patrol vehicle which is built closely to an F-150 Pickup Truck. There is no plan to replace all the vehicles with a Responder, however, one would allow the police to move large items. He submitted the following bids from NYS OGS:

Genesee Valley Ford $39,000.00

Trustee Burns moved to purchase a 2022 Ford Responder as bid from Genesee Valley Ford in the amount of $39,000.00, and to be paid in full at the time of delivery from the Equipment Reserve Fund. Trustee Sinsabaugh seconded the motion, which led to a roll call vote, as follows:

Ayes – 6 (Burns, Sweeney, Aronstam, Ayres, Sinsabaugh, Correll)

Nays – 0

Absent – 1 (Traub)

The motion passed.

**Mayor/Board Comments:** Trustees Correll, Aronstam, and Sinsabaugh will not be able to attend the October 26th meeting. The clerk stated she would check with Trustee Traub to see if he will be available so we would still have a quorum.

**Executive Session:** Trustee Sweeney moved to enter executive session at 7:14 p.m. to discuss a contractual issue. Trustee Burns seconded the motion, which carried unanimously.

Trustee Aronstam moved to enter regular session at 7:38 p.m. Trustee Sweeney seconded the motion, which carried unanimously.

**Sidewalk Replacement Program Application:** The clerk presented application SP15-13, and stated the application was reviewed and determined eligible. This will replace 150’ of public sidewalk. Due to the estimates given, and the cost per foot is within reason, the program would cover a total of $1,000 and the homeowner would be responsible for the balance. Trustee Correll moved to approve application SP15-13 as presented, and to approve the reimbursement of $1,000 when complete. Trustee Burns seconded the motion, which carried unanimously.

**Request from Habitat for Humanity:** The clerk read a letter from Penn-York Habitat for Humanity requesting the use of a room for the 3rd Wednesday of each month, from 7:00-8:30 p.m. This would be to hold their monthly board meeting consisting of 13 members. Trustee Correll moved to approve the use of the Meeting Room with a charge based on the current fee schedule. Trustee Sinsabaugh seconded the motion, which carried unanimously.

**Adjournment**: Trustee Burns moved to adjourn at 7:42 p.m. Trustee Sweeney seconded the motion, which carried unanimously.

Respectfully submitted,

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Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, OCTOBER 26, 2021 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Trustees Present: Kasey Traub, Kevin Sweeney, Kyle Burns, and Mayor Patrick Ayres

Also present: Clerk Treasurer Michele Wood, Code Officer Chris Robinson, and Attorney Betty Keene

Press: Johnny Williams of the Morning Times

**Public Comments:** Eric Gutierrez, 496 Fulton Street, requested the Board to not allow marijuana dispensaries in the village. He stated it is already more available to kids, and one out of six kids sill sustain long lasting brain deficiencies. The more it is available, the more kids will have it.

Deb Gutierrez, 106 Tracy Road, stated she has done extensive research and kids are using marijuana more often. She asked the Board to not allow dispensaries and let it go to referendum for a public vote instead of a Board decision.

**Waverly Waterfront Access:** Abbey Ortu and Rebecca Maffei, of Tioga County, stated they got a grant to study a possible waterfront access to the Chemung River off of River Road in Waverly. This would tie into the Carantouan Trail System and possibly connect to Two Rivers State Park and Waverly Glen Park. This is to encourage tourism for Waverly. They will keep the village informed of the study.

**Letters and Communications:** The clerk read a letter from Joan Schultz, of the Waverly Family Resource Center (Cornell Cooperative Extension), requesting the use of the Community Room for 6 weeks for parent/child sessions. This would be only on Mondays from 9:00-11:00 a.m, starting on February 14 and ending on March 28. She also requested the rental fee be waived. Mayor Ayres stated they have used the room before, and since they are through the county we have waived the fee in the past. Trustee Sweeney moved to approve use of the Community Room as requested and to waive the rental fee. Trustee Burns seconded the motion, which carried unanimously.

The clerk read a letter from Dave Cannavino, 454 Fulton Street, asking permission to cut down a Honey Locust tree that is in front of his home. It is a village tree. He stated it is extremely messy and since they are aging, it is harder to clean up after it. He would take it down at his own expense. Discussion followed. Trustee Sweeney moved to approve Mr. Cannavino take down the tree, and remove the stump at his own expense. Trustee Burns seconded the motion, which led to a roll call vote and resulted as follows:

Ayes – 4 (Burns, Sweeney, Traub, Ayres)

Nays – 0

Absent – 3 (Sinsabaugh, Correll, Aronstam)

The motion passed.

**Approval of Minutes:** Trustee Sweeney moved to approve the Minutes of October 12, 2021 as presented. Trustee Traub seconded the motion, which carried unanimously.

**Finance Committee/Approval of Abstract:** Trustee Burns presented the following abstract, and moved to approve all payments: General Fund Abstract $41,996.88; and Cemetery Fund Abstract $32.02. Trustee Traub seconded the motion, which carried unanimously.

**Capital Projects Abstract:** Trustee Burns moved to approve the following expenditures be paid from the Capital Projects Fund. Trustee Traub seconded the motion, which carried unanimously.

|  |  |  |  |
| --- | --- | --- | --- |
| Vendor | Project | Invoice | Amount |
| Austin Sand & Gravel | Glen Park | 7612 | $ 101.93 |
| Porter’s Concrete | Glen Park | 106218 | 2,272.50 |
| Total |  |  | $ 2,374.43 |

**Glen Park Update:** Mayor Ayres stated there are cracks in the tennis court. Code Enforcement Officer Robinson inspected it and was not happy with the fix. Mayor Ayres stated he will contact the contractor and engineer regarding this. If it’s not fixed correctly, we will keep some retainage to make sure the fix is covered.

The clerk submitted a financial summary of the Glen Park Project. She stated since we cannot submit for the final reimbursement of $49,000 until the contractor is paid, we may be having some cash flow issues soon. She asked to borrow $49,000 from the General Fund and reimburse once we receive the final reimbursement from the state. Trustee Burns moved to approve transferring $49,000 from General Fund to Capital Fund to cover expenses for the Glen Park Project, and to be paid back once project is complete. Trustee Traub seconded the motion, which carried unanimously.

**MRTA/Marijuana Regulation and Taxation Act:** Attorney Keene submitted a draft local law which prohibits On-site Cannabis Consumption Establishments within the village. She stated once the law is voted on, and if passed, it will be subject to permissive referendum. Discussion followed. Trustee Sweeney moved to schedule a Public Hearing for the proposed local law for November 9, 2021 at 6:00 p.m., and the clerk to advertise the same. Trustee Traub seconded the motion, which carried unanimously.

**ARPA/Stimulus Funding:** The clerk stated the federal government may expand flexibility on expending the funding. It has to pass in the House before it becomes law but is expected. The clerk stated the Bondio Group hasn’t been able to get to our lost revenue calculation yet, but should soon.

**East Waverly Park Paving:** The clerk stated the paving of streets began yesterday. The representative of Broome Bituminous looked at the road in East Waverly Park and stated if they were to pave it as is, it would be broken up by spring. So, that paving was cancelled. The road needs to have work on its base before paving. They will get us a proposal for that work and if approved, they could do that in the spring. The Board appreciated their feedback and agreed to wait and do it right.

**Curb Cut Application:** The clerk presented a curb cut application from JTM Enterprises for the property located at 152 Chemung Street. The clerk stated Chief Gelatt and Street Operator Pond have reviewed and had offered no concerns. Trustee Burns moved to approve the curb cut at 152 Chemung Street. Trustee Traub seconded the motion, which carried unanimously.

**Standardizing Permit and Inspection Fees (Tioga County):** Mayor Ayres stated Tioga County got a grant to look at and compare code fees from each municipality within Tioga County. They also compared them to surrounding counties. Mayor Ayres submitted their report for the Board to review, and stated we are under no obligation to abide by this. The county is looking at cohesiveness throughout the county.

Mayor Ayres also stated he would like to look at the fee for sidewalk permits. Currently, it is at $.50 per lineal foot, however, some can get pretty expensive. He stated we should encourage residents to repair or replace their sidewalks when needed.

**Residential Income Survey:** The clerk stated the Board of Water Commissioners approved doing a Residential Income Survey. If the village’s median income is 51% low-moderate, the Water Board could apply for Community Development Block Grant Funding, which could be another $1 million dollars in grant funds for the Water Improvement Project. The clerk stated they recommend G & G Municipal Consulting and Grant Writing, to come in and do the survey. The clerk stated there is no guarantee that the survey would come in to our benefit, and there is no guarantee that we would be awarded the grant. The consensus of the Water Board was that if we don’t do the survey, then we wouldn’t know where we stand. The results of this survey could also impact any future CDBG Funding. Trustee Traub moved to approve G & G Municipal Consulting and Grant Writing to perform an Income Survey at a cost of $19,990 plus postage, and the Mayor to sign the contract. This will be expended from the Water Fund as they did already approve. Trustee Burns seconded the motion, which carried unanimously.

**Executive Session:** Trustee Burns moved to enter executive session at 7:30 p.m. to discuss a contractual issue and a potential new employee. Trustee Traub seconded the motion, which carried unanimously.

Trustee Traub moved to enter regular session at 7:59 p.m. Trustee Burns seconded the motion, which carried unanimously.

**Hire DPW Laborer:** Trustee Burns moved to hire Christian Wilkins as a Full Time DPW Laborer, effective November 1, 2021, at a contractual rate of $15.90/hr. He will have a probationary period of 52 weeks as required by Civil Service. Trustee Sweeney seconded the motion, which led to a roll call vote and resulted as follows:

Ayes – 4 (Sweeney, Traub, Burns, Ayres)

Nays – 0

Absent – 3 (Sinsabaugh, Aronstam, Correll)

The motion carried.

**Sidewalk Replacement Program Application:** The clerk presented application SP15-14, and stated the application was reviewed and a pre-inspection was done by Code Enforcement Officer Robinson. Trustee Traub moved to deny application SP15-14 as the pre-inspection determined that the sidewalk was not in need of replacement at this time. Trustee Sweeney seconded the motion, which carried unanimously.

**Mayor/Board Comments:** Mayor Ayres stated he reduced office hours two weeks ago due to several employees testing positive for Covid-19, and a few off due to other illnesses or vacation. He also separated employees as much as possible. He stated this was an emergency situation and the decision had to be made. There were only 2 employees in the office, and one had to leave due to the exposure. The clerk sent an email to all Trustees, other board members, and employees. Mayor Ayres also sent a text message to all Trustees. The office is now back open, and most employees are back.

**Adjournment**: Trustee Burns moved to adjourn at 8:10 p.m. Trustee Traub seconded the motion, which carried unanimously.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Michele Wood, Clerk Treasurer

**PUBLIC HEARING HELD BY THE BOARD OF**

**TRUSTEES OF THE VILLAGE OF WAVERLY AT 6:00 P.M.**

**ON TUESDAY, NOVEMBER 9, 2021 IN THE TRUSTEES' ROOM,**

**VILLAGE HALL FOR THE PURPOSE OF PUBLIC COMMENT**

**REGARDING PROPOSED LOCAL LAW 02-2021 THAT PROHIBITS**

**ON-SITE CANNABIS CONSUMPTION ESTABLISHMENTS IN**

**THE VILLAGE OF WAVERLY**

Mayor Ayres declared the hearing open at 6:00 p.m.

**Roll Call:** Trustees Present: Andrew Aronstam, Kevin Sweeney, Jerry Sinsabaugh, Kasey Traub, Keith Correll, Kyle Burns, and Mayor Patrick Ayres

Also present was Clerk Treasurer Michele Wood, Code Officer Chris Robinson, Attorney Betty Keene, and Tioga County Legislator Dennis Mullen

Press included Johnny Williams of the Morning Times

Mayor Ayres stated the intent of the Board of Trustees of the Village of Waverly is opt out or prohibit on-site cannabis consumption establishments in the Village of Waverly. Mayor Ayres opened the floor for comments.

Ron Keene, 7 Elliott Street, asked how the Board can hold a Public Hearing because it was not advertised. The clerk stated a legal notice was published approximately 10 days ago.

Margaret Prinzi, 447 Chemung Street, stated she would like to get rid of the street dealers. She thinks that having stores would be a better environment and safer, and the village would have more control. She stated she is not in favor but is ok with it since it would bring in more revenue and possibly help control the property taxes because they are too high.

Linda Vogel, Business Owner 201 Broad Street, stated this is a good start but don’t think it ends it. People are smoking on the street. In favor of the law but needs controls for usage. She also asked if a social group could get together and use. Attorney Keene stated this law bans the use in any commercial property. She also stated if a social group were to be in a residence, and there were no sales going on, it may be ok.

Eric Guteriez, 496 Fulton Street, asked the Board what are the legal limits of marijuana use? He stated there are a lot of unknowns and dangers with this. He is grateful the Board for not allowing consumption centers, but feels they should ban retail stores also.

With no one else wishing to be heard, Mayor Ayres closed the hearing at 6:15 p.m.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Michele Wood, Clerk/Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, NOVEMBER 9, 2021 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Trustees Present: Kasey Traub, Jerry Sinsabaugh, Keith Correll, Andrew Aronstam, Kevin Sweeney, Kyle Burns, and Mayor Patrick Ayres

Also present: Clerk Treasurer Michele Wood, Code Officer Chris Robinson, Tioga County Legislator Dennis Mullen, and Attorney Betty Keene

Press: Johnny Williams of the Morning Times

**Public Comments:** Margaret Prinzi, 447 Chemung Street, thanked code enforcement for his work on getting sidewalks repaired or replaced. Mayor Ayres also agreed that he has done a great job. He also stated our Sidewalk Replacement Program has been very useful for the residents.

Ron Keene, 7 Elliott Street, stated he stands corrected. There was a legal notice for the Public Hearing published on October 30, 2021.

Eric Gutierrez, 496 Fulton Street, stated he is happy to see the cemeteries are being worked on. He wished he could attend all meetings but has other obligations. He stated it is not easy to get information on what happened at the meetings. The clerk stated the Minutes of the meetings are posted and updated on our website. He also stated that if the Board allows dispensaries, they sell cannabis infused edibles that look like candy. There would be no way of policing that within the schools. He hopes the Board would prohibit dispensaries also.

**Approval of Minutes:** Trustee Sweeney moved to approve the Minutes of October 26, 2021 as presented. Trustee Traub seconded the motion, which carried unanimously.

**Department Reports:** The clerk submitted reports from the Police Department, Parks & Recreation, and Code Enforcement. Mayor Ayres stated he would discuss with Lance Fraley regarding a report from the Street Department.

**Treasurer's Reports:** Clerk Treasurer Wood presented the following financial reports:

General Fund 10/1/21 – 10/31/21

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 324,736.48 | Current Revenues | 66,410.03 |
| Deposits | 118,413.43 | Year to Date Revenue | 2,485,635.43 |
| Disbursements | -279,880.88 | Current Expenditures | 243,100.55 |
| Ending Balance | 163,269.03 | Year to Date Expended | 1,260,326.66 |

\*General Capital Reserve Fund, $291,246.68

\*Equipment Reserve Fund $168,116.07

Cemetery Fund 10/1/21 – 10/31/21

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 17,191.67 | Current Revenues | -545.95 |
| Deposits | 1,450.00 | Year to Date Revenue | 20,819.95 |
| Disbursements | -9,186.54 | Current Expenditures | 252.11 |
| Ending Balance | 9,455.13 | Year to Date Expended | 35,679.88 |

\*Perpetual Care Fund $33,678.49

Loan Programs 10/1/21 – 10/31/21

|  |  |  |  |
| --- | --- | --- | --- |
| Business Loans |  | Rehab Loans | Balances |
| Beginning Balance | 5,854.18 | Beginning Balance | 5,547.63 |
| Deposits | 730.96 | Deposits | 147.34 |
| Disbursements | 0.00 | Disbursements | 0.00 |
| Ending Balance | 6,585.14 | Ending Balance | 5,694.97 |
| MM/Savings Balance | 178,729.31 | MM/Savings Balance | 175,461.53 |
| Total Fund Balance | 185,314.45 | Total Available Balance | 181,156.50 |

*\*outstanding loans $11,774.69 \*outstanding loans $21,922.06*

Capital Projects Fund 10/1/21 – 10/31/21

|  |  |  |  |
| --- | --- | --- | --- |
|  | Glen Park | Water Project | Restore NY |
| Beginning Balance | 17,688.06 | 92,274.10 | 379.98 |
| Deposits/Debits | 49,000.00 | 0.00 | 0.00 |
| Disbursements/Credits | -2,374.43 | -2,218.50 | 0.00 |
| Ending Balance | 64,313.63 | 90,055.60 | 379.98 |

\*Total Capital Projects Fund Balance $109,274.16

**Revenue Status Report:** The clerk submitted year-to-date revenues for October 2020 & 2021.

|  |  |  |  |
| --- | --- | --- | --- |
| Month | YTD Previous Year YYyearYeYearYear | YTD Current Year | Current Status |
| June | 12,934.11 | 12,549.48 | -384.63 |
| July | 78,494.22 | 87,002.35 | 8,508.13 |
| August | 131,028.55 | 148,387.52 | 17,358.97 |
| September | 175,428.05 | 198,758.30 | 23,330.25 |
| October | 241,415.09 | 265,168.33 | 23,753.24 |

**Finance Committee/Approval of Abstract:** Trustee Sinsabaugh presented the following abstracts, and moved to approve all payments: General Fund Abstract $318,571.61; and Capital Projects Fund Abstract $2,247.88. Trustee Burns seconded the motion, which carried unanimously.

**Tioga County Update:** Tioga County Legislator Dennis Mullen stated the sales tax is trending around 17% higher. Tioga Downs is looking at a record year. Tioga County passed their budget under the 2% tax cap, and revenues are good. He also stated that Tioga County hired a school employment coordinator. There are 1200+ skilled labor positions open in the county. They may be able to help place school students in some of these jobs to learn skills. This may help retain skilled labor in Tioga County.

**Glen Park Update:** Mayor Ayres stated traditionally Glen Park is closed for the winter, with a chain across the road at the entrance. He asked our insurance agent what are the risks with keeping it open during the winter and is waiting for a response back. He asked the Board what their thoughts are with keeping it open, but not maintaining it such as plowing. The consensus of the Board was to keep the park closed to traffic during the winter. People have always walked in throughout the year.

**Proposed Local Law 02-2021, Prohibiting On-site Cannabis Consumption Establishments:** Mayor Ayres stated a Public Hearing was held on November 9, 2021 at 6:00 and comments in regard to the proposed local law were heard. Trustee Burns moved to approve Local Law 02-2021 which prohibits

on-site cannabis consumption establishments within the Village of Waverly. Trustee Sweeney seconded the motion, which led t o a roll call vote and resulted as follows:

Ayes – 7 (Sweeney, Traub, Burns, Sinsabaugh, Aronstam, Correll, Ayres)

Nays – 0

The motion carried. This action is subject to Permissive Referendum.

Mayor Ayres stated this resolution is subject to permission referendum. A petition, signed by 20% of the registered voters of the last election and filed with the clerk within 30 days of this resolution, would put this up to public vote as a referendum on the ballot at our next election in March 2022.

**MRTA/Marijuana Regulation and Taxation Act:** Trustee Sinsabaugh stated he feels the state acted too quickly and left villages with little time to act, and that the Village of Waverly should opt-out of allowing retail cannabis dispensaries. Trustee Sinsabaugh moved to direct Attorney Keene to draft a local law to prohibit retail cannabis dispensaries within the Village of Waverly. Trustee Sweeney seconded the motion, which led to discussion.

Trustee Aronstam stated he views this as a unique opportunity for the village to make revenue. The legal aspects of it have already been made by the state. Marijuana is legal and that doesn’t change whether we have dispensaries or not. He stated he is not for or against the use of cannabis. Marijuana has been around for many decades and most adults today have tried it in their youth. This is not something new. With it being regulated, however, it would be safe. He spent many years counseling youth on addiction. People seldom become bad neighbors or addicted to cannabis. If we prohibit sales of cannabis because it’s “bad for you” and a potential hazard, then we also have a responsibility to consider banning the sales of beer, alcohol, bars, liquor stores, and gambling/lottery as these are far more addictive than cannabis. All bring social issues and potential hazards. He stated the Board has a fiduciary responsibility to our residents and should take opportunities where we can. Year after year our property taxes increase and most residents have a difficult time paying them. This is an opportunity to increase our revenue base and potentially lower taxes for our residents in the village. New York State will regulate the sales. He feels this should not be treated as a moral issue but financial issue. This Board needs to think of our residents and their cost to live here.

Trustee Burns stated he is 100% against the sales of cannabis in the village. He is concerned with the children and the money is not a concern of his.

Trustee Traub wants to know how communities in other states have dealt with issues and how they are doing with it. He feels this may lead to more illegal sales due to the high taxing of it. There are so many unknowns at this time, and feels we don’t have enough time to weigh out the pros and the cons. We can always opt in at a later time after the state has published all the regulations on it.

Mayor Ayres stated he is against opting out of the dispensaries. The MRTA Law is very long and detailed and he feels the regulations may mirror most of it. This took New York State seven years to craft this law. The law stated it recognizes equity issues as a concern. The village formed a committee, which included the School Superintendent Eric Knolles, Police Chief Dan Gelatt and a couple of Police Officers, Cameron VanNorman of the WBA, Attorney Betty Keene, and Clerk Treasurer Michele Wood. The committee reported back to this Board stating they were not in favor of the cannabis cafes, however, they were unanimously in agreement that there were no concerns with dispensaries. Zoning is a separate issue. We can limit where, and how long dispensaries can sell. We can limit where people can use it. This could be modeled after the open-container law. These issues are still here whether or not we have dispensaries. Marijuana is legal and by prohibiting sales, does not make it go away. Sales won’t be legal until the end of 2022 or beginning of 2023. We will be allowed to give the state feedback on all licensees in the village.

Mayor Ayres asked if anyone else would like to speak, if not, there is a motion on the table and asked for a roll call vote. The vote resulted as follows:

Ayes – 4 (Sweeney, Traub, Burns, Sinsabaugh)

Nays – 3 (Aronstam, Correll, Ayres)

The motion carried.

**ARPA/Stimulus Funding:** The clerk stated The Bonadio Group has calculated our loss of revenue and it came back that we can consider the entire allotment of $422,050.01 as lost revenue. This was mostly due from the grant revenues received in 2019 for the Sewer Upgrade Project. This lessens the restrictions of the funding and it can be used for general government services. There are a few things that it cannot be used for. The clerk stated this should not be used to offset the budget as this would be a detriment in the future leading to a high increase in taxes down the road. This should be used to fund a project or a one-time purchase. Mayor Ayres stated we will be getting a detailed report from The Bonadio Group outlining their calculation. Trustee Traub recommends we work on a 5-year capital plan.

**Concerns in Cemeteries:** Mayor Ayres stated we are still bouncing issues around. He would like the committee to meet to review the issues and the cemetery mowing contract. Trustee Sinsabaugh asked what the parks department is doing now. Mayor Ayres stated he is not going to discuss this now. Trustee Traub we should not be talking about an employee in public session, and this conversation should be taken to executive session or ended.

**Standardizing Permit and Inspection Fees (Tioga County):** Code Officer Robinson stated the county is looking on standardizing code enforcement fees. They are looking at jobs at a per square foot scenario rather than the cost per job as we currently have. He would like to get some questions answered before he would have a better opinion. Mayor Ayres stated we are not obligated to take this standard.

**Sidewalk Permit Fees:** The clerk stated she would like to see the Board review the sidewalk permit fee. Currently, we charge 50 cents per lineal foot. Some sidewalks, especially corner lots, become very expense for the permit. There have been some near or over $100. She feels this could be an impediment for residents that want to replace their sidewalks. She stated we just started charging a fee in 2015, and that revenue is minimal, between $100 and $800 per year. She submitted an annual breakdown of the revenue. She also stated the Sidewalk Replacement Program caps the permit fee at $25. She would like to see the same thing on all sidewalk permit fees or repeal them altogether. The Board tabled discussion for next meeting.

**Trane/RTU Police Department Odor:** Mayor Ayres stated there have been complaints from the Police Department that there is an exhaust-type odor coming through the HVAC system. He stated he met with our Trane Representative and the recreated the issue of the odor. Trane believes this is heat exchanger issue but won’t know unless they take it apart. The lead time on a heat exchanger is 30 days. Trustee Correll stated he would like to look at it. Mayor Ayres stated that would be fine, however, he doesn’t want this to drag out as the odor is real. Discussion followed. Trustee Sinsabaugh moved to approve up to $5,255 (per Trane estimate) to make repairs as needed, contingent upon Trustee Correll’s evaluation. Trustee Traub seconded the motion, which carried unanimously.

**Mayor/Board Comments:** Mayor Ayres stated Elderwood will be holding a Veterans Day Ceremony, however, he will be out of town that day. He asked a Board member to attend on behalf of the Village. Trustee Correll stated he would attend. Mayor Ayres also asked for representation to attend the VFW’s visits to the Veterans’ Memorials on the same day. Trustee Aronstam stated he would attend. He thanked Trustees Correll and Aronstam for their representation.

**Adjournment**: Trustee Burns moved to adjourn at 8:17 p.m. Trustee Correll seconded the motion, which carried unanimously.

Respectfully submitted,

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Michele Wood, Clerk Treasurer

**SPECIAL MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 4:00 P.M.**

**ON WEDNESDAY, NOVEMBER 23, 2021 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 4:00 p.m. He stated all trustees were notified of this emergency meeting and was told what it was about. The Morning Times editor was also advised of this meeting. The thanked the members in attendance for being here on such quick notice.

**Roll Call:** Trustees Present: Keith Correll, Andrew Aronstam, Kyle Burns, and Mayor Patrick Ayres

Also present: Clerk Treasurer Michele Wood, Code Officer Robinson, and DPW Lead Lance Fraley

**Purchase of New Dump Truck:** Lance Fraley stated we ordered a dump truck in early spring and the expected delivery was September. It was delayed until October. He was just told that it wouldn’t be available now until June or July of 2022 due to a chip that they cannot get. He stated we have only 2 dump trucks and the larger dump truck. The larger one is good when there is a lot of snow but doesn’t work well on just a few inches. He stated concern with the upcoming winter season.

Mr. Fraley stated he found a 2021 Dodge Ram Dump Truck, in Binghamton, which is the same as the 2 trucks we have now. This truck is already fitted with the plow and ready to use. Mayor Ayres stated this truck would replace the next one that needs to be traded. He stated the concern is that this truck could be sold at any time. Lance Fraley had some estimates of the chassis only, but stated these are unfitted and it would take approximately a month or two to get fitted. Trustee Aronstam moved to approve the purchase of a 2021 Dodge Ram Dump Truck, Vin# 3C7WRNAJ9MG702097, from Binghamton Chrysler Jeep Dodge in the amount of $64,160.50 and to be paid for from the Equipment Reserve Fund. Trustee Correll seconded the motion, which led t o a roll call vote and resulted as follows:

Ayes – 4 (Burns, Aronstam, Correll, Ayres)

Nays – 0

Absent – 3 (Sinsabaugh, Traub, Sweeney)

The motion carried.

**Glen Creek Retaining Wall:** Mayor Ayres stated an approximate 60’ of retaining wall in the Glen Creek has come down and the bank had eroded some due to the recent heavy rains. He called NYMIR to file a claim. He met with the adjuster and the adjuster filed a report to NYMIR and they are reviewing. They have not made a final decision, however, since this is not specifically outlined in the policy it may not be covered. The village and town DPW’s were looking to see if they could repair the wall, however, they do not have the right equipment, and both felt it was beyond their capabilities. Mayor Ayres stated he reached out to Austin’s Excavating and they could repair the wall. He submitted a quote from Austin’s for $35,000. Mayor Ayres stated concern with further erosion of the soil and possibly the roadway.

Trustee Aronstam moved to declare this an emergency repair and authorize Austin’s Excavating to repair the retaining wall as quoted in the amount of $35,000. Trustee Correll seconded the motion, which led t o a roll call vote and resulted as follows:

Ayes – 4 (Burns, Aronstam, Correll, Ayres)

Nays – 0

Absent – 3 (Sinsabaugh, Traub, Sweeney)

The motion carried.

**Adjournment**: Trustee Aronstam moved to adjourn at 4:27 p.m. Trustee Correll seconded the motion, which carried unanimously.

Respectfully submitted,

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Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, NOVEMBER 23, 2021 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Trustees Present: Kasey Traub, Jerry Sinsabaugh, Keith Correll, Andrew Aronstam, Kyle Burns, and Mayor Patrick Ayres

Also present: Clerk Treasurer Michele Wood, Police Chief Dan Gelatt, and Attorney Betty Keene

Press: Johnny Williams of the Morning Times

**Public Comments:** There were no public comments offered.

**Approval of Minutes:** Trustee Sinsabaugh moved to approve the Minutes of November 9 as presented. Trustee Burns seconded the motion, which carried unanimously.

**Finance Committee/Approval of Abstract:** Trustee Sinsabaugh presented the following abstracts, and moved to approve all payments: General Fund Abstract $53,290.88; and Cemetery Fund Abstract $492.66. Trustee Burns seconded the motion, which carried unanimously.

**Glen Park Retaining Wall:** Mayor Ayres stated he received an email from NYMIR stating that after their review and review of the underwriters, the wall was not listed or covered on the policy and the claim had to be denied. Mayor Ayres stated he would like to look at our insurance policy better and see what is covered and what is not. We may need to make some changes in the future.

**MRTA/Marijuana Regulation and Taxation Act:** The clerk stated she published the Notice of Permissive Referendum after Local Law 2-2021 was voted on, however, The Morning Times only published it online and not in the newspaper. She stated she didn’t realize it until just the other day. Attorney Keene stated this would not be a proper notice and since the 10 days has lapsed, she felt it would be necessary to redo the vote and start over. The 30-day permissive referendum period would also start over.

**Proposed Local Law 02-2021, Prohibiting On-site Cannabis Consumption Establishments:** Mayor Ayres stated a Public Hearing was held on November 9, 2021 at 6:00 and comments in regard to the proposed local law were heard. Trustee Sinsabaugh moved to adopt Local Law 02-2021, as follows:

**A local law adopted pursuant to Cannabis Law § 131 opting establishing**

**on-site cannabis consumption establishments within the Village of Waverly.**

**Section 1. Legislative Intent**

It is the intent of this local law to opt the Village of Waverly out of hosting on-site cannabis consumption establishments within its boundaries.

**Section 2. Authority**

This local law is adopted pursuant to Cannabis Law § 131, which expressly authorizes cities and villages to opt-out of allowing on-site cannabis consumption establishments to locate and operate within their boundaries.

**Section 3. Local Cannabis On-Site Consumption Opt-Out**

The Board of Trustees of the Village of Waverly, County of Tioga, hereby opts-out of allowing on-site cannabis consumption establishments from locating and operating within the boundaries of the Village of Waverly.

**Section 4. Severability**

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Section 5. Effective date**

This local law shall take effect immediately upon filing with the Secretary of State. Pursuant to Cannabis Law § 131, this local law is subject to a permissive referendum and thus may not be filed with the Secretary of State until the applicable time period has elapsed to file a petition or a referendum has been conducted approving this local law.

Trustee Traub seconded the motion, which led to a roll call vote and resulted as follows:

Ayes – 6 (Traub, Burns, Sinsabaugh, Aronstam, Correll, Ayres)

Nays – 0

Absent – 1 (Sweeney)

The motion carried. This action is subject to Permissive Referendum.

**Draft Local Law, Opting Out of Licensing and Establishing Retail Cannabis Dispensaries Establishments:**  Attorney Keene submitted a draft local law opting out of licensing and establishing retail cannabis dispensaries establishments within the village. She stated once the Public Hearing is held and the law is voted on, and if passed, it will be subject to permissive referendum.

Trustee Burns moved to schedule a Public Hearing for December 14, 2021 at 6:00 p.m. and the clerk to publish the same.

Trustee Aronstam stated he feels that opting out is extremely short-minded and financially irresponsible. Property taxes will increase with no means to bring down. He feels the state has offered municipalities an opportunity for financial gains. He stated we talk and talk about keeping taxes low, but take no action when an opportunity arises. Whatever your moral feelings are regarding cannabis, it is legal and it is here. What we are voting on is allowing stores to sell it and keeping the extra sales tax within the village. This also makes the product safe and helps keep the sales away from the street-corner dealers, as who know what they are selling. It is reckless and dangerous to turn down safe sales.

Trustee Sinsabaubh stated that Trustee Aronstam is just fear-mongering. We are in control of our budget and we set the taxes. He cannot say that taxes will go up. Trustee Aronstam stated costs go up. If we have no additional revenues, then we have to make it up with taxes. Trustee Sinsabaugh stated his concern is that we would be acting too quickly if we allow it now since the state doesn’t have their final regulations in place. He stated we could always opt in later if the Board wanted to.

Mayor Ayres asked if any other Trustee would like to speak, if not, there is a motion on the table to set the Public Hearing. Trustee Sinsabaugh seconded the motion, which led to a roll call vote and resulted as follows:

Ayes – 3 (Traub, Burns, Sinsabaugh)

Nays – 3 (Aronstam, Correll, Ayres)

Absent – 1 (Sweeney)

The motion did not carry, and the public hearing was not scheduled.

**Concerns in Cemeteries:** Mayor Ayres stated he met with Trustee Traub, Trustee Sinsabaugh, Ron Keene, DPW Lead Lance Fraley, and Clerk Treasurer Wood and discussed issues in the cemeteries and how to work toward resolving the issues. He felt it was a very productive meeting and others agreed. Need to further review the rules and regulations, and also the mowing contract.

**Standardizing Permit and Inspection Fees (Tioga County):** Mayor Ayres submitted a revised fee schedule and recommendation from Code Officer Robinson. He asked the Board to review it, however, he would like to discuss it more when Code Officer Robinson is available.

**Sidewalk Permit Fees:**  The Board tabled discussion on sidewalk permit fees until Code Officer Robinson is available.

**Police Radios:** Chief Gelatt stated he has been working with the county to upgrade and replace our communications system. Our department had a recent dangerous encounter and our portable radios were not operational. The radios are operational about 50% of the time due to us being in a “bowl” geographically. The new system should have major improvements for us, however, that may be a few years out. Chief Gelatt stated Finger Lakes Communications offered a quick fix by installing in-vehicle repeaters. This will improve radio communications and safety. It would also work with the new system. The repeaters are not on state contract, and he getting other quotes. The cost is estimated at $20,000. He stated Tioga County may have a grant that could help cover the costs. Trustee Sinsabaugh stated he feels this should be acted upon quickly as it is a safety issue. Mayor Ayres agreed and stated we should act on it at our next meeting to allow Chief Gelatt to make good effort on acquiring quotes. Chief Gelatt agreed.

**Memorandum of Understanding/Multi-Jurisdictional SWAT Team:** Chief Gelatt stated we have been involved with Tioga County in a Multi-Jurisdictional SWAT Team. Two of our officers have been certified and taken part in for several years. Each municipality that is involved can utilize the team if ever needed, at no cost. Attorney Keene will review the MOU for the next meeting.

**Executive Session:** Trustee Aronstam moved to enter executive session at 7:15 p.m. to discuss a possible promotion of an employee, and asked Chief Gelatt to join. Trustee Sinsabaugh seconded the motion, which carried unanimously.

Trustee Traub moved to enter regular session at 7:33 p.m. Trustee Correll seconded the motion, which carried unanimously.

**Promotion to Police Sergeant:** Trustee Sinsabaugh moved to promote Officer Russell E. Buesink, Jr. to Police Sergeant at the contractual rate, effective November 26, 2021. There will be a 26-week probationary period through Civil Service. Trustee Burns seconded the motion, which led to a roll call vote and resulted as follows:

Ayes – 6 (Traub, Burns, Sinsabaugh, Aronstam, Correll, Ayres)

Nays – 0

Absent – 1 (Sweeney)

The motion carried.

**Mayor/Board Comments:** Mayor Ayres stated with the recent passing of Mike Mattison, he would like to take a moment to recognize Mr. Mattison and all of his service for the Village of Waverly. He sends his condolences to his family. The Board concurred.

**Adjournment**: Trustee Aronstam moved to adjourn at 7:36 p.m. Trustee Traub seconded the motion, which carried unanimously.

Respectfully submitted,

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Michele Wood, Clerk Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, DECEMBER 14, 2021 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 6:30 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Trustees Present: Kasey Traub, Jerry Sinsabaugh, Keith Correll, Andrew Aronstam, Kyle Burns, Kevin Sweeney, and Mayor Patrick Ayres

Also present: Clerk Treasurer Michele Wood, and Attorney Betty Keene

Press: Johnny Williams of the Morning Times

**Public Comments:** Jason Taylor, 111 Howard Street, stated he has been involved win the cannabis industry for 25 years, in California and Massachusetts. He stated he feels it is a mistake to opt out. This forces sales into the black market, which is dangerous and could irreversibly harm kids. It is now legal in New York. The village cannot limit consumption, or delivery of product within its boundaries. By allowing retail dispensaries it allows consumers to by safe by buying a clean product. The cannabis will be highly regulated by New York State as it is in other states. It will be able to be tracked back to the grower and everyone in between. The responsibility of allowing clean, safe product is up to the Village Board. He also stated the revenues back to the village would be substantial.

Laura Hoppe, 523 Clark Street, stated she has been a trustee and now serves on the Sewer Board. She served on many budget committees, and part of the committee is to try to keep taxes as low as possible by finding other revenue streams to offset rising costs. Cannabis is legal, licenses to sell will be disbursed in the near future. She urged trustees to not have a personal bias, overlook the stigma, and make a responsible decision for the taxpayers of the village. By opting out and denying the village this lucrative revenue stream, you will be sending that revenue to other municipalities. A committee, including the Superintendent of Schools and the Police Chief and Officers, had no objections or concerns with retail dispensaries. She asked the board to consider their thoughts also.

David Wallace, Mount Zion Church in Chemung, stated he opposes the sales. People get addicted and leads to violent crimes.

Mike Fritzen, Barton, NY, stated although this may be a huge moneymaker for the village he is concerned with the kids and the availability, and they would have greater access to it. He stated he is opposed to having sales in the village.

Suzanne Urban, 554 Clark Street, stated she is in favor of sales in the village as it is legal in New York. She is a psychiatric nurse. Cannabis is much less dangerous than alcohol on developing brains. She would like to see access to clean cannabis rather than unknown product sold on the corner.

Eric Guttierez, 496 Fulton Street, stated there have been a lot of good points made. Dispensary sales will not stop the black market sales, but will increase them. The regulations are not in place yet. How will it be policed? He is concerned with edibles in the schools and how to police that when they look like candies. His schools is now doing extra locker checks to try to police cannabis.

Gabby Guttierez, 496 Fulton Street, stated she studied cannabis in college. The THC in cannabis can cause brain deficiencies. More kids will have it, if sold in the village.

Steven Brogen, Chemung NY, stated he has three young sons and is not in favor of sales.

Jesse Poe, 402 Broad Street, stated he is not in favor of sales. Drugs should not be a way of life. Marijuana has no place in our community.

Linda Vogel, on behalf of the Community and Rotary Foundation, presented Ron Keene with the Bill Ransom Award. He was selected as a long time business owner, and due to his volunteerism in the village. He has formed a non-profit group, *Friends of the Waverly Cemeteries*, which have spent many hours cleaning and improving our cemeteries. Ron Keene stated, “to receive this award is an honor.” He thanked the foundation for their support. He also thanked Mayor Ayres and the Village Board of Trustees for all their help and support over the years. He especially thanked all of the members of the *Friends of the Waverly Cemeteries* for all of their volunteerism and work in the cemeteries. The audience applauded him receiving this award. Mayor Ayres stated that Mr. Keene has been an instrumental part of our cemeteries, and thanked him.

Ron Keene, 7 Elliott Street, stated he regularly attends village meetings. He has listened to all the pros and cons regarding cannabis sales. He stated he is not in favor or opposed. He feels the state is rushing the municipalities into making a very important decision too quickly. He recommends waiting for the regulations to be put in place, listen to all the pros and cons, and then make a better informed decision. The law allows the village to opt in at a later date.

**Approval of Minutes:** Trustee Traub moved to approve the Minutes of November 23, 2021 as presented. Trustee Sinsabaugh seconded the motion, which carried unanimously.

**Department Reports:** The clerk submitted reports from the Police Department, Parks & Recreation, and Code Enforcement. Trustee Aronstam stated the number of kids in the recreation sports is up. The Waverly Recreation Booster Club paid $1,600 in scholarships for many kids to participate. Financial restraints should not keep kids from participating in any of the recreation programs. The Waverly Recreation Booster Club will pay for anyone who has any financial hardships. He stated this is a non-profit organization which earns money through donations, and fundraising. This is not tax dollars.

Mayor Ayres stated the Tinsel & Lights event had a good attendance. He thanked the Parks Department and Committee, as they worked hard to bring it all together. The Board agreed.

**Treasurer's Reports:** Clerk Treasurer Wood presented the following financial reports:

General Fund 11/1/21 – 11/30/21

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 163,269.03 | Current Revenues | 87,498.98 |
| Deposits | 893,093.94 | Year to Date Revenue | 2,573,131.40 |
| Disbursements | -901,016.04 | Current Expenditures | 541,063.38 |
| Ending Balance | 155,346.93 | Year to Date Expended | 1,801,390.04 |

\*General Capital Reserve Fund, $291,270.61

\*Equipment Reserve Fund $103,967.27

Cemetery Fund 11/1/21 – 11/30/21

|  |  |  |  |
| --- | --- | --- | --- |
| Beginning Balance | 9,455.13 | Current Revenues | 6,453.91 |
| Deposits | 6,450.00 | Year to Date Revenue | 27,273.86 |
| Disbursements | -220.09 | Current Expenditures | 712.75 |
| Ending Balance | 15,685.04 | Year to Date Expended | 36,392.63 |

\*Perpetual Care Fund $33,678.49

Loan Programs 11/1/21 – 11/30/21

|  |  |  |  |
| --- | --- | --- | --- |
| Business Loans |  | Rehab Loans | Balances |
| Beginning Balance | 6,585.14 | Beginning Balance | 5,196.78 |
| Deposits | 630.96 | Deposits | 147.34 |
| Disbursements | 0.00 | Disbursements | 0.00 |
| Ending Balance | 7,216.10 | Ending Balance | 5,344.12 |
| MM/Savings Balance | 178,744.00 | MM/Savings Balance | 175,490.85 |
| Total Fund Balance | 185,960.10 | Total Available Balance | 180,834.97 |

*\*outstanding loans $11,173.13 \*outstanding loans $21,517.14*

Capital Projects Fund 11/1/21 – 11/30/21

|  |  |  |  |
| --- | --- | --- | --- |
|  | Glen Park | Water Project | Restore NY |
| Beginning Balance | 64,313.63 | 90,055.60 | 379.98 |
| Deposits/Debits | 0.00 | 0.00 | 0.00 |
| Disbursements/Credits | -2,738.96 | 0.00 | 0.00 |
| Ending Balance | 61,574.67 | 90,055.60 | 379.98 |

\*Total Capital Projects Fund Balance $151,630.27

**Revenue Status Report:** The clerk submitted year-to-date revenues for November 2020 & 2021. These are only selected revenues that are recurring, and not a complete revenue statement.

|  |  |  |  |
| --- | --- | --- | --- |
| Month | YTD Previous Year YYyearYeYearYear | YTD Current Year | Current Status |
| June | 12,934.11 | 12,549.48 | -384.63 |
| July | 78,494.22 | 87,002.35 | 8,508.13 |
| August | 131,028.55 | 148,387.52 | 17,358.97 |
| September | 175,428.05 | 198,758.30 | 23,330.25 |
| October | 241,415.09 | 265,168.33 | 23,753.24 |
| November | 307,998.41 | 353,762.82 | 45,764.41 |

**Finance Committee/Approval of Abstract:** Trustee Sinsabaugh presented the following abstracts, and moved to approve all payments: General Fund Abstract $170,402.55; and Capital Projects Fund Abstract $4,671.48. Trustee Burns seconded the motion, which carried unanimously.

**Glen Park Retaining Wall:** Mayor Ayres stated the retaining wall has been completed and looks great.

**Concerns in Cemeteries:** Trustee Sinsabaugh stated they looked at the mowing contract and feels we should have the mower use a mulching blade to help with the grass on the headstones. He would like to schedule another meeting after the holidays. After that, we could possibly put the mowing out to bid.

**Standardizing Permit and Inspection Fees (Tioga County):** The Board tabled discussion for the next meeting. The clerk will clarify the inspection fees with Code Officer Robinson.

**Sidewalk Permit Fees:**  Trustee Aronstam moved to amend current sidewalk permit fees to no charge. Trustee Sweeney seconded the motion, which carried unanimously.

**Police Radios:** Trustee Sinsabaugh submitted a quote from Finger Lakes Communications in the amount of $16,478.70 for repeaters for the police cars. He also stated that Tioga County Emergency Management Officer Mike Simmons stated that Tioga County would pay for these from their grant. Trustee Sinsabaugh thanked Tioga County and Chief Gelatt for working on this. Trustee Sinsabaugh moved to accept the award from Tioga County as presented. Trustee Burns seconded the motion, which carried unanimously.

**Memorandum of Understanding/Multi-Jurisdictional SWAT Team:** Attorney Keene stated she reviewed the MOU and had no concerns. Trustee Sinsabaugh moved to authorize Mayor Ayres to sign. Trustee Burns seconded the motion, which carried unanimously.

**ARPA/Stimulus Funding:** The clerk stated The Bonadio Group has calculated our loss of revenue and it came back that we can consider the entire allotment of $422,050.01 as lost revenue. She submitted the report from The Bonadio Group. Trustee Traub stated he would like to see a committee started to come up with a 1-year, 3-year, and 5-year spending plan. Mayor Ayres asked them to consider the Water and Sewer Department needs also. He suggested the trustees who work with those departments work with Trustee Traub and come up with a plan, and submit it by March.

**Liquor License Application:** The clerk submitted a 30-day advanced notice for a new application of a liquor license being filed with New York State. The notice was submitted by Cynthia Breese on behalf of the Stars & Stripes Sports Lounge, LLC; to be located at 317 Broad Street. The clerk stated Chief Gelatt reviewed application and had no concerns. Trustee Sinsabaugh moved to accept the notice with no comment. Trustee Sweeney seconded the motion, which carried unanimously.

**NYCOM Winter Legislative Meeting**: The clerk stated NYCOM is holding their Annual Winter Legislative Meeting on February 13-14, 2022 in Albany. Mayor Ayres stated any Board Member wishing to attend should contact the clerk.

**Budget Committee:** Mayor Ayres appointed Trustees Burns, Sinsabaugh, and Traub to work with Clerk Treasurer Wood and the department heads on the 2022 -2023 Tentative Budget. They all accepted.

**MRTA/Marijuana Regulation and Taxation Act:** Trustee Sinsabaugh stated he feels we should wait until the state regulations are in place before we allow sales of cannabis. He recommended we opt out.

Trustee Burns stated he is opposed to allowing dispensaries and feels the public should be allowed to vote on it if they want them.

Trustee Sweeney stated there is not enough information from the state for the Board to make an informed decision at this time. He opposes dispensaries also.

Trustee Sinsabaugh moved to accept the draft local law that was submitted to the Board on November 23, 2021, that prohibits retail cannabis dispensaries within the Village of Waverly. Trustee Traub seconded the motion, which led to a roll call vote and resulted as follows:

Ayes – 4 (Traub, Burns, Sinsabaugh, Sweeney)

Nays – 3 (Aronstam, Correll, Ayres)

The motion carried.

Trustee Sinsabaugh moved to schedule a Public Hearing for the Proposed Local Law to prohibit retail cannabis dispensaries for December 28, 2021 at 6:00 p.m., and the clerk to advertise the same. Trustee Traub seconded the motion, which led to a roll call vote and resulted as follows:

Ayes – 6 (Traub, Burns, Sinsabaugh, Sweeney, Aronstam, Correll)

Nays – 1 (Ayres)

The motion carried.

Trustee Aronstam stated he believes by opting out of dispensaries is a bad fiduciary decision by the Board of Trustees for our residents. We are not voting cannabis out of the village, that isn’t our decision to make because it’s legal. The only absolute about a new revenue stream is that it helps lower taxes. He submitted a spreadsheet showing how extra revenues would lower the tax rate. He stated taxes are the most important issue for most of our residents, especially the ones on a fixed income.

Trustee Aronstam also stated legal, regulated dispensaries would decrease the black market sales. There would be tracking mechanisms in place and safe product availability. The village would have a lot of control over many regulations. By opting out we are giving away all control, we keep the corner dealers selling who-knows-what to the public and kids, and we lose a very lucrative revenue stream that is guaranteed to help our resident’s taxes.

Mayor Ayres stated he shares Trustee Aronstam’s beliefs. He stated many residents benefit from the use of cannabis, which is legal. He has no doubt that New York State will over-regulate this, as they do with most issues which everyone is always complaining about. It takes a long time to write the regulations and he would be surprised if they are done by the middle of 2023. Business owners are looking for business opportunities now so they can be prepared. Delivery of cannabis to homes in the village is legal and not part of the “opt out”. Cannabis has and will always be in the village. Kids will always have availability to it, as they always have. A vote to opt out will not keep cannabis out of the village, or away from kids. It will guarantee a clean product. He feels like we will lose our opportunity on this if we opt out as businesses will go somewhere else. There is no guaranty that a petition will be filed or the residents will even have a vote. This Board was elected to make responsible decisions on the behalf of our residents. He feels the stigma of marijuana overrides people’s thoughts. Trustee Traub stated this is not a moral issue, he is not anti-marijuana. He doesn’t trust New York State with financial issues.

Trustee Correll feels that cannabis will be a legal business and stated it shouldn’t be “opted in” or “opted out” process. We don’t have that decision on bars, liquor stores, or beer stores. People choose if they purchase or not. We just got notice tonight on a new bar opening.

Trustee Traub stated he is not sure if the new revenue stream will be as high as expected. Also, if Pennsylvania legalizes marijuana, it would take business away. He feels that we should wait for the regulations to come out, review them, and make a better informed decision. We can always “opt in” in the future. He also stated that if we allow dispensaries, the residents don’t get a vote on that either.

**Executive Session:** Trustee Sinsabaugh moved to enter executive session at 7:56 p.m. to discuss a possible promotion of an employee. Trustee Aronstam seconded the motion, which carried unanimously.

Trustee Correll moved to enter regular session at 8:05 p.m. Trustee Aronstam seconded the motion, which carried unanimously.

**Promotion to WWTP Plant Operator:** Upon passing his 2A Waste Water licensing and by the recommendation of the Board of Sewer Commissioners, Trustee Sweeney moved to promote Devon Spallone to Sewer Plant Operator, increasing his pay to $21.50 per hour, effective December 17, 2021. Trustee Aronstam seconded the motion, which led to a roll call vote and resulted as follows:

Ayes – 7 (Traub, Burns, Sweeney, Sinsabaugh, Aronstam, Correll, Ayres)

Nays – 0

The motion carried.

**Termination of Services:** The clerk stated Elwin Terwilliger was hired as an emergency Sewer Plant Operator as he is fully licensed. He would only cover the plant in case of emergency. Due to the promotion of Mr. Spallone, this position is no longer needed. Upon recommendation of the Board of Sewer Commissioners, Trustee Sinsabaugh moved to terminate Elwin Terwilliger as presented. Trustee Burns seconded the motion, which carried unanimously. Mayor Ayres thanked Mr. Terwilliger for his willingness to help us out.

**Adjournment**: Trustee Correll moved to adjourn at 8:08 p.m. Trustee Sinsabaugh seconded the motion, which carried unanimously.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Michele Wood, Clerk Treasurer

**PUBLIC HEARING HELD BY THE BOARD OF**

**TRUSTEES OF THE VILLAGE OF WAVERLY AT 6:00 P.M.**

**ON TUESDAY, DECEMBER 28, 2021 IN THE TRUSTEES' ROOM,**

**VILLAGE HALL FOR THE PURPOSE OF PUBLIC COMMENT**

**REGARDING PROPOSED LOCAL LAW 02-2021 THAT PROHIBITS**

**CANNABIS RETAIL DISPENSARIES WITHIN THE**

**BOUNDARIES OF THE VILLAGE OF WAVERLY**

Mayor Ayres declared the hearing open at 6:00 p.m.

**Roll Call:** Trustees Present: Andrew Aronstam, Kevin Sweeney, Jerry Sinsabaugh, Kasey Traub, Keith Correll, Kyle Burns, and Mayor Patrick Ayres

Also present was Clerk Treasurer Michele Wood, Attorney Betty Keene

Press included Johnny Williams of the Morning Times

Mayor Ayres stated the purpose of the Public Hearing is hear comments regarding cannabis retail dispensaries in the Village of Waverly. He asked the people to be respective of other’s opinions and comments as opinions may differ. Mayor Ayres opened the floor for comments.

Chance Wright, BMillz Store, stated opting out is a bad decision. Money can do good for the kids. They sponsored 30 kids for Christmas, and also paying for a blind child’s surgery. They have put a lot of money back into the community.

Bart Donnelly, BMillz Store, stated they have 50 employees. Wants to establish opportunities, and keep the money to stay in the village. Cannabis has always been and will always be here. Need to work together to create business that is acceptable by all.

Cameron Van Norman, Business Owner, stated the current sticker stores are doing illegal business. We should only be discussing legal business at this Public Hearing.

Ron Perry, Business Owner, stated he has observed increased conflicts with patrons of the sticker store. The gift bags are thrown all over the place and his parking lot. He is asking people to leave his parking lot, and getting into arguments and harassed. He also stated that one of his instructors was uneased with a conversation as she walked by some patrons. The clientele is changing on Broad Street.

Bill Fenton, BMillz Store, stated they cannot control what the public does. Store is responsible for security. They have a professional staff and always checks licenses before anyone can enter their store.

David Wallace, Mount Zion Church in Chemung, stated the Board should not focus on letting marijuana in the village but focus on the higher good for the kids. If it made easy to get, the kids will get it and crime will increase.

Justin Moon, BMillz Store, stated he is the father of four. He stated marijuana is legal and it has and will be here legally if there are stores or not. Can get it delivered legally. Can use it legally.

Bryant Siciliano-Parker, BMillz Store, stated he does not believe that crime will or has increased, as cannabis makes people more calm.

Lisa Bailey, 136 Center Street, stated her son started using marijuana. This is a gateway drug that leads to harder drugs. She stated her son died. She also stated that Broad Street is getting disgusting. We need to be a stronger community.

Eric Guteriez, 496 Fulton Street, stated schools are reporting increased use by students. Cannabis in candies and baked goods is highly undetectable. He stated a study shows use is down in teens due to COVID because kids are at home with family and have less access to it. He also stated that marijuana can be cut with fentanyl once it’s bought, and then sold to kids.

Jan Wheeler, BMillz Store, stated she has had availability to marijuana since she was 12 years old. This is always been a problem. Need more education and more accountability for kids to not use it. She feels alcohol is a bigger issue. The dispensaries are not the problem, the black market is. Kids need more consequences if they are found with it.

Jason Clowski, Business Owner, stated he got attacked on social media over concerns with cannabis. Parental users may increase kids use. This is a moral issue. He was taught that marijuana is illegal and against the law. Logic does not support its legality. People are also driving under the influence on marijuana. Is this all about the revenue? Doesn’t seem fair to non-users. Just because it’s legal doesn’t make it ok.

Deb Gutteriez, 106 Tracy Road, stated we need to look at all aspects and the long term health of our community. Mental health abuse and neglect are fed by alcohol, marijuana, and drug use. Pre-natal cannabis use shows anxiety and social issues in babies. Cannabis use may show long term deficiencies when used by adolescents.

Gabriella Gutteriez, 496 Fulton Street, stated the worker are saying that they will be out of jobs. There are “now hiring” signs in most businesses. Businesses are hiring all over. The increased sales tax could be from COVID as people are staying more local. We have the ability to bring in revenue from other areas and not from just the cannabis business.

Stephen Brogan, Chemung NY, stated there has been an economic impact in Denver. Denver’s property crime near sales of cannabis has increased. The increased tax revenues did not cover the cost of crime involved with cannabis. Addiction and ER visits for cannabis poisoning in kids has also increased. He is not in favor of dispensaries. May not be a financial improvement for the village.

Sue Stradling, 430 Fulton Street, she read the book “Dope Sick” and people started out with marijuana and went to use stronger drugs. She encouraged people to read the book.

Jason Taylor, 111 Howard Street, stated he has been in the business for 25 years. Comments tonight are disappointing. Surveys go each way. NYS legalized adult use marijuana and you need to be 21 years old to buy it, licenses are checked. The same as with purchasing alcohol. Parents need to educate kids on use of tobacco, alcohol, cannabis, and drugs. Opting out will create an uncontrollable black market. He stated the #1 starting drug is tobacco and it is 100% addictive. He stated the average cannabis business can take in $30 million per year. He feels there is a lack of education tonight. NYS will issue licenses in 2023. Sales will be highly regulated. The village has a year to write laws and put in controls that they want. Companies are looking for places now and will not come in at a later date. They need a stable environment as it cost a lot to start a new business. This is a great opportunity for increased revenue for the village and its residents will benefit from it. Opting out of sales will not reduce the use, or reduce the availability of marijuana in the village.

Doug Bailey, 136 Center Street, Waverly ADE was a group against addiction. It is ok to stand up for kids. He opposes sales of cannabis.

Ron Keene, 7 Elliott Street, stated there was an article in the Pennysaver that the Department of Health stated concern with youth and cannabis. He submitted a few copies of the article and encouraged people to read it. He stated he was a long time user of tobacco and it led to serious health conditions. He feels the village don’t need the extra revenue that bad, they just need to control its expenses.

Dave Dexter, Dave’s Seamless Gutters, stated everyone has a right to their opinion. Marijuana is just another negative. He stated he was a former marijuana user. He has since got saved and changed his life. It took a long time to normalize. He stated cigarettes, alcohol, drugs are all not good for anyone.

With no one else wishing to be heard, Mayor Ayres closed the hearing at 7:11 p.m.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Michele Wood, Clerk/Treasurer

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**OF THE VILLAGE OF WAVERLY HELD AT 6:30 P.M.**

**ON TUESDAY, DECEMBER 28, 2021 IN THE**

**TRUSTEES’ ROOM IN THE VILLAGE HALL**

Mayor Ayres called the meeting to order at 7:15 p.m., and led in the Invocation and the Pledge of Allegiance.

**Roll Call:** Trustees Present: Kasey Traub, Jerry Sinsabaugh, Keith Correll, Andrew Aronstam, Kyle Burns, Kevin Sweeney, and Mayor Patrick Ayres

Also present: Clerk Treasurer Michele Wood, and Attorney Betty Keene

Press: Johnny Williams of the Morning Times

**Public Comments:** No comments were offered.

**Approval of Minutes:** Trustee Traub moved to approve the Minutes of December 14, 2021 as presented. Trustee Sinsabaugh seconded the motion, which carried unanimously.

**Finance Committee/Approval of Abstract:** Trustee Sinsabaugh presented the following abstracts, and moved to approve all payments: General Fund Abstract $42,040.99; Cemetery $763.11; and Capital Projects Fund Abstract $2,192.85. Trustee Aronstam seconded the motion, which carried unanimously.

**Proposed Local Law 03-2021, Prohibiting Retail Cannabis Dispensaries:** Mayor Ayres stated a Public Hearing was held on December 28, 2021 at 6:00 and comments in regard to the proposed local law were heard. Trustee Sinsabaugh moved to adopt Local Law 03-2021, as follows:

**A local law adopted pursuant to Cannabis Law § 131 opting out of licensing and**

**Establishing retail cannabis dispensaries establishments within the Village of Waverly.**

**Section 1. Legislative Intent**

It is the intent of this local law to opt the Village of Waverly out of hosting retail cannabis dispensaries establishments within its boundaries.

**Section 2. Authority**

This local law is adopted pursuant to Cannabis Law § 131, which expressly authorizes cities and villages to opt-out of allowing retail cannabis dispensaries and/or on-site cannabis consumption establishments to locate and operate within their boundaries.

**Section 3. Local Cannabis Retail Dispensary**

The Board of Trustees of the Village of Waverly, County of Tioga, hereby opts-out of allowing retail cannabis dispensaries establishments from locating and operating within the boundaries of the Village of Waverly.

**Section 4. Severability**

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Section 5. Effective date**

This local law shall take effect immediately upon filing with the Secretary of State. Pursuant to Cannabis Law § 131, this local law is subject to a permissive referendum and thus may not be filed with the Secretary of State until the applicable time period has elapsed to file a petition or a referendum has been conducted approving this local law.

Trustee Aronstam stated all concerns heard tonight are valid. Everyone seems to be in committed, including the Board, to keep it out of the hands of kids. Should have a commission to see what can be done to help keep all drugs away from children. He stated he was a drug counselor for many years. Our village is ideally suited for dispensaries. Companies are willing to work with friendly municipalities. This issue isn’t about kids, it’s about recreational use for persons over 21 years of age. Dangers with fentanyl is just beginning and the danger is everywhere. Thirteen people overdosed in Syracuse last weekend. The black market is very dangerous. We need a controlled, regulated product. The majority of adverse health reactions is due to what the marijuana is cut with. He gave two ironies.

Irony #1 – a new bar got our approval to open at the last meeting but cannabis is not ok. Alcoholism is the major cause of broken families and abuse.

Irony #2 – opting out of retail cannabis sales does nothing for us. Marijuana will still be legal, there will still be advertised delivery services, there will still be availability, and there will still be use. The only impact to the village by opting out, is that other municipalities will get the revenue and the Village of Waverly will get nothing. Budgets always go up, not down, therefore; taxes will increase as they usually do. We have over a year to develop the proper framework that’s best for us. He understands that change is scary, but we can’t hide from it and hope it goes away. We need to manage and control it.

Trustee Sinsabaugh stated by opting out gives us a chance to work on regulations in the village. We can opt in later. He feels that this topic should be voted on by our residents. We need time to get control of it, and need to let the residents vote on it.

Mayor Ayres thanked all for expressing their opinions on this controversial topic. Based on comments, many different life experiences were voiced. NYS has determined cannabis as a legal adult-use recreational drug, the same as alcohol which is controlled and regulated. NYS is writing laws that will regulate every aspect of the cannabis business. We are not able to keep marijuana out of the village. We can, however, control it. He stated he is not talking about the sticker stores. Revenue for the village is very important to keep our taxes down and keep services running. Every municipality looks for revenue streams to help stabilize their taxes. Several municipalities around us will be allowing sales of cannabis. Delivery from stores within those municipalities can deliver products to the village residents. That is legal and we cannot prohibit that. He feels the voice of all of the residents is very important.

Mayor Ayres called for a vote. Trustee Burns seconded the motion, which led to a roll call vote, as follows:

Ayes – 4 (Traub, Burns, Sinsabaugh, Sweeney)

Nays – 3 (Aronstam, Correll, Ayres)

The motion carried. This action is subject to Permissive Referendum.

Attorney Keene stated this action is subject to permissive referendum. A petition submitted within 30 days can force this referendum to be placed on the ballot for public vote.

Mayor Ayres asked Attorney Keene if the referendum was defeated, could a future board repeal the local law at a later date. Attorney Keene responded that a future board could repeal a local law (by local law) without permissive referendum.

Mayor Ayres stated he was just informed earlier today that the Board, by resolution, can bypass the petition process and directly put this to referendum on the ballot.

**Referendum without Petition:** Trustee Sinsabaugh moved to put referendum on the ballot of the Election on March 15, 2022 and bypass the petition process. Trustee Aronstam seconded the motion, which led to a roll call vote, as follows:

Ayes – 7 (Traub, Burns, Sinsabaugh, Sweeney, Aronstam, Correll, Ayres)

Nays – 0

The motion carried.

**Cannabis Controls in the Village:** Trustee Traub stated he would like to put on the agenda for future meetings, and start working on controlling marijuana use in the village.

**Adjournment**: Trustee Traub moved to adjourn at 7:51 p.m. Trustee Correll seconded the motion, which carried unanimously.

Respectfully submitted,

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Michele Wood, Clerk Treasurer