

Minutes of the Interlaken Village Board of Trustees meeting held on Thursday, 8 February 2024 at the Village Hall and via GoTo Meeting.

Members Present: Mayor Richardson, Trustee Del Plato, Trustee Garcia, Trustee Kempf.

Excused: Trustee Pepper.

Others Present: DPW Supervisor Ahouse, Fire Chief Borden, Police Chief Dwello, Clerk/Treasurer Swartwood, Deputy Clerk Quan.

Public Present via GoTo Meeting: Phil Stannard.

Mayor Richardson called the meeting to order at 6:31 PM with the Pledge of Allegiance.

### **Approval of Minutes:**

Richardson motioned, Garcia seconded, to accept the minutes from the 11 January 2024 Regular Board Meeting; Richardson: aye, Kempf: aye, Del Plato: aye, Garcia: aye.

### **Library:**

Limbwalker Tree Care provided quotes for the tree work: prune \$600, tree removal \$2600, stump grinding \$300. Richardson motioned, Del Plato seconded, to approve Limbwalker Tree Care pruning the tree; Richardson: aye, Kempf: aye, Del Plato: aye, Garcia: aye.

### **Fire:**

There were 14 calls in January, which is a little high.

Six members are taking Basic Firefighting, requiring 76 hours to complete, at the county training center.

Canoga Fire Department is the lead department in the multi-agency grant for the air packs; the departments participating include Interlaken, Romulus, and Varick. The DEC grant is finished; awaiting reimbursement of \$2500 for expenditure of \$5000 in PPE (gloves and hoods).

Monthly joint training with Lodi and Ovid begins this month.

The department took in two more members; one of the members, Ida Clause, adds an additional EMT to the staff. Two people picked up applications for March.

Richardson motioned, Garcia seconded, to accept Ben Hertzler and Ida Clause as new members of the Interlaken Fire Department; Richardson: aye, Kempf: aye, Del Plato: aye, Garcia: aye.

Upcoming events: spring barbecue at noon on 24 March; banquet at Interlaken Sportsmens Club on 06 April.

**Water:**

Several meters repaired.

There are three quotes for the 5-year water tank inspection: AQUASTORE (the brand installed): \$2500, Aqueous Infrastructure Management: \$4400, Pittsburg Tank & Tower: \$1800; the quotation from AQUASTORE and Pittsburg Tank & Tower includes inspection of the cathodic protection system. In addition to the report, Ahouse will request video footage from the ROV inspection. Kempf motioned, Del Plato seconded, to approve the quote from AQUASTORE to inspect the tank; Richardson: aye, Kempf: aye, Del Plato: aye, Garcia: aye.

Cleaned and inspected the solenoid valve on the Ross Valve, finding they provided the wrong seat.

Replaced the chlorine injection pump at the plant. A new backup unit, costing \$1500, needs to be on hand as mandated by the health department.

Water consumption is about 10k gallons above normal daily consumption. Listened for leaks and checked catch basins to no avail. Brian Baxter also listened for leaks but could not detect any. The leak may be on the transmission line.

**Sewer:**

Cleaned ports on the trickle filter.

Replaced heat tape on the sludge valve and repaired the insulated box.

A quote from Camden Group for monitoring and sampling costs \$2980 monthly, with charges for any additional services; YAWS Environmental charges \$3200 monthly.

The low lift pump is plugged.

HUNT EAS evaluated the new plant and thinks it will be a 3A. The contract for monitoring and sampling will go to bid when the new plant comes online.

Parties are close to reaching a land purchase agreement for the drying beds. The landowner would like the village to purchase more than the one acre needed so as to square out their farmable acreage. Funding available will be determined.

**Streets:**

Cleaned culverts after the rain event.

Cleaned catch basins.

Moved snow.

Performed regular vehicle maintenance.

Bob Champion will wait until the weather is warmer before beginning on the rails.

Richardson reported attending a flood mitigation meeting where they are in the process of updating maps on where flooding occurs in the county.

Richardson advised the Ontario-Seneca-Yates Masonic District would like to place a "Let's Talk" bench in the park of the library, at no cost to the village, as part of the Battle Within Project of the NY Masons. Del Plato motioned, Richardson seconded,

to approve the installation of the bench; Richardson: aye, Kempf: aye, Del Plato: aye, Garcia: aye.

**Police:**

There were 183 calls for service; 17 traffic citations were issued. Two new mobile radios and five portables are estimated to cost \$59,322.27. Sheriff Thompson advised the department they will not be able to do annual training with the Seneca County Sheriff's Department. Macedon Police Department will allow the department to do service training at their location. Somebody interested in being employed with the department went on a ride-along. County Manager Lovell will provide a retired sheriff's car at no cost. Because some patrol provisions have been removed, there will be costs associated with upfitting.

**Treasurer:** balances of accounts read.

Harold Stewart provided a copy of the fire inspection report, completed by Seneca County Code Enforcement Officer Mark Shaw, of the Interlaken Historical Society's Farmers' Museum and Community Life Museum.

Budget modifications are necessary: ARPA funds for the NRCS project, law contractual, and a new account for inside repairs to the firehouse. Richardson motioned, Del Plato seconded, to approve the budget modifications; Richardson: aye, Kempf: aye, Del Plato: aye, Garcia: aye.

**Approval of Bills:** Kempf motioned, Garcia seconded, to approve vouchers in: General Fund (#251-276: \$48,950.05), Water Fund (#79-86: \$3,850.97), Sewer Fund (#53-59: \$5,046.55) for payment; Richardson: aye, Kempf: aye, Del Plato: aye, Garcia: aye.

**Old Business:**

- ◆ Approve trash code changes.
  - Richardson will review the changes, determine what other municipalities use, and report back.
- ◆ Approve village parking tickets and fines.
  - Garcia motioned, Kempf seconded, to approve the proposed village parking tickets and fines, pending attorney review; Richardson: aye, Kempf: aye, Del Plato: aye, Garcia: aye.
- ◆ Fisher Associates.
  - Richardson reported hearing no word, but heard they applied for the Bridge NY Program to repair the culvert pipes at Glass Magnolia Bed and Breakfast. Permanent easements allowing the village to maintain the culverts will be part of the grant proposal.
- ◆ Land purchase/easement.

- Maxine and Paul Flagg signed the papers for the land purchase; Majoros will sign in two weeks, but the board needs to vote to approve the land purchase and easements. Kempf motioned, Del Plato seconded, to approve the land purchase and easements for Majoros; Richardson: aye, Kempf: aye, Del Plato: aye, Garcia: aye.

Kempf motioned, Del Plato seconded, to introduce the following resolution on 08 February 2024; Richardson: aye, Kempf: aye, Del Plato: aye, Garcia: aye.

#### **RESOLUTION AUTHORIZING VILLAGE'S ACQUISITION OF REAL PROPERTY INTERESTS**

**WHEREAS**, the Village of Interlaken ("Village") owns and operates a water system in the Town of Covert ("Town") that supplies potable water and water for fire protection to the entire Village, including the South Seneca Elementary School as well as 46 parcels in the Town of Covert ("System"); and

**WHEREAS**, the Village has operated the System for many years and, for at least 35 years, has obtained its water from a supply well located near the shore of Cayuga Lake on property owned by Paul and Maxine Flagg at 8143 Interlaken Beach Road in the Town (SBL# 6-1-26) ("Flagg Property") pursuant to a 1988 long-term payment agreement between the Village and the Flaggs; and

**WHEREAS**, in or about 2018, the Village determined that the System was in need of improvements to enable the Village to continue providing potable water and water for fire protection, improvements that included the replacement of a water storage tank that was in disrepair and the addition of a secondary water supply source to supplement an existing inadequate well ("Project"); and

**WHEREAS**, the Village conducted an environmental review of the Project pursuant to Article 8 of New York's Environmental Conservation Law and the regulations at 6 N.Y.C.R.R. Part 617, *et seq.* (New York's State Environmental Quality Review Act "SEQR") and issued a Negative Declaration on September 5, 2018; and

**WHEREAS**, the Village secured funding through the New York State Environmental Facilities Corporation, State Drinking Water Fund and has partially completed the necessary improvements, including the replacement of the System's water storage tank; and

**WHEREAS**, the Village commenced proceedings under New York's Eminent Domain Procedure Law ("EDPL") and §1-102 and §11-1106 of the Village Law to acquire necessary interests in the Flagg Property and property owned by John A. Majoros and Elizabeth A. Majoros at 4194 Interlaken Beach Road (SBL# 6-1-27.1) ("Majoros Property"); and

**WHEREAS**, the Village obtained an appraisal report to determine the fair market value of said real property interests as of June 22, 2023 ("Appraisal") and continued good faith negotiations with the Flaggs and the Majoroses; and

**WHEREAS**, the Flaggs and the Majoroses have agreed to voluntary transfer of property interests to enable the Project to be completed; and

**WHEREAS**, the Flaggs have agreed to transfer fee title to a 4,156+/- sf area of the Flagg Property on which the current well is located and the second water supply source is proposed to be located (“Flagg Fee Parcel”) and to grant the Village a Permanent Easement over two areas of the Flagg Property (totaling 9,214+/- sf) that will be used to access the Fee Parcel and existing underground improvements (“Flagg Permanent Easement”) and to terminate prior agreements relating to the supply well, relinquishing all future payments; and

**WHEREAS**, the Flaggs have agreed to accept consideration for the Fee Parcel in the amount of \$32,800 and additional consideration in the amount of \$167,200 in exchange for the grant of the Flagg Permanent Easement, and the termination of prior agreements; and

**WHEREAS**, the Majoroses have also agreed to grant the Village a Permanent Easement over a 409+/- sf portion of the Majoros Property which is necessary to provide lake access for the secondary water supply source line (“Majoros Permanent Easement”) in exchange for consideration in the amount of \$10,200 and the Village’s agreement to relocate a shed onsite; and

**WHEREAS**, the amount of consideration for the Majoros Permanent Easement does not exceed the value set forth in the Appraisal; and

**WHEREAS**, the amount of consideration for the Flagg Fee Parcel and the Flagg Permanent Easement does not exceed the values set forth in the Appraisal and the present value of the payments due under the long-term agreements that will be terminated; it is therefore

**RESOLVED** that the Village determines that it is necessary to obtain the Flagg Fee Parcel, Flagg Permanent Easement and Majoros Permanent Easement to enable the Project to be completed and the Village to continue to supply potable water and water for fire protection in the Village and Town; and it is further

**RESOLVED** that the Board authorizes the purchase of the Flagg Fee Parcel for \$32,800 and the Flagg Permanent Easement and long-term agreement buyout for consideration in the amount of \$167,200; and it is further

**RESOLVED** that the Board authorizes the purchase of the Majoros Permanent Easement for consideration in the amount of \$10,200 and the Village’s relocation of the Majoros shed; and it is further

**RESOLVED** that the Mayor and Attorneys for the Village have authority to execute all documents necessary to effectuate the transfers.

**New Business:**

- ◆ Village resident reimbursement spay/neuter

- The village can help but is not responsible. Richardson will draft a response after considering feedback.
- ◆ Employee Manual updates
  - Tabled until March

**Adjournment:** Richardson motioned, Del Plato seconded, to adjourn at 7:46 PM; Richardson: aye, Kempf: aye, Del Plato: aye, Garcia: aye.

Respectfully submitted,  
Brian Quan, Deputy Village Clerk