

Minutes of the Interlaken Village Board of Trustees meeting held on Thursday November 9, 2017 at the Town of Covert Municipal Building meeting room.

The meeting was called to order at 7:00 pm by Mayor Richardson with the Pledge of Allegiance,  
MEMBERS PRESENT: Mayor Rich Richardson, Trustees, Chris Kempf, Keith Jay, Bill McGuire.

MEMBERS EXCUSED: Tony Del Plato

OTHERS PRESENT: Nancy Swartwood, Clerk Treasurer; Aneta Glover, reporter; Jim Borden, Fire Chief; Wes Ahouse, DPW Supervisor, Diane Bassette Nelson, Deputy Clerk Treasurer, Leon Anderson, Chief of Police, Chelsea Stirlen, Library Director.

Public: Fred Percy, Caroline Peterson, Linda Blossom, Roland and Diane Emmons, Cindy McGlaughlin, John Nihil, Barry and Sarah Banfield, Emily King, Mike and Darlene Weeks, Michael Reynolds, Linda Duddleston, Elaine Scott, Penelope McGill.

Prior to the regular meeting a public discussion was held on code issues that the board should be considering.

APPROVAL OF MINUTES: A motion was made by Keith Jay and seconded by Chris Kempf to the October 12, 2017 Minutes, approved unanimously.

PUBLIC TO BE HEARD:

Sarah Banfield: amount of water usage has been running 12,000, this past bill was 40,000 gallons. Asking the board to remove the sewer portion as it appears the meter. Rich is recommending that the bill be on hold until the next two quarters to determine if it may have been a bad meter.

Peter Martin from Hunts Engineers: Projects that are on-going at this time. See memo for details. Sanitary sewer system improvement studies.

- 1) Infiltration and inflow
- 2) Waste Water Treatment Plant Improvement study

Noted Seneca County may look into combing some of their districts, and Interlaken might be involved. This will be considered in the future.

Need to close out the grant with DEC.

Need to work with funding agencies to see what possibilities,

Safe Routes to school final plans should be in soon, need a meeting with DOT and Hunt.

Water Tank, looking at funding sources. Is there a possibility of tying in with water lines coming south from Romulus?

#### COMMITTEE REPORTS:

##### **Library report submitted to the clerk and shared with the board.**

Marty Schlabach was introduced as new trustee. Keith Jay will be the board liaison.

Requesting equal funding from the county board of supervisors.

Rhea Ike and Valerie Bassett have resigned from the library board.

##### **Fire report by Jim Borden**

Volunteer Fire Fighters cancer program Could cost up to \$300 per person,

Structure fire in Lodi, quick knock down

DCS grant for \$5,000 looking to get high pressure cutters.

Ehrhart donated gas leak detector,

Adam Porter is now an active member, in addition to being chaplain.

Members went through the Gun Black site. Also, have done Pine Tree, need to visit HipShot.

Also tour Bixby Home each year.

Ladder testing is done. All ladders are good. Hose testing will be done in the spring.

The Christmas tree sales will be December 9<sup>th</sup> and 10<sup>th</sup> at Evergreen Acre Plantation.

##### **Water report given by Wes**

Annual inspection by county health, back up agreement with Ovid satisfied one item that needed correction.

Located shut offs, and got several places shut off.

Chlorination back up pump has been received.

##### **Sewer**

Mowed right of way. Brewers did pump out and collection cone.

Rich attended the county meeting regarding county sewer system.

**Streets** Wes: Serviced pick up, need to determine what to be done about back hoe, either new tires or new back hoe.

Had to redo Pine Tree driveway.

Cleaning the catch basins on West side of village, county has also been down to look at sites.

Need to upgrade grates on the catch basins. Bob Champion may be able to fabricate new grates.

Need to get moving on a construction inspector for SRTS grant.

Street lights we have a number that are out, and have been reported to NYSEG.

Flags will be coming down next week, and the holiday decorations going up. There will be flag retirement service at the Interlaken Grange on Sunday, November 12, at 3 pm.

Rich recognized the veterans, in the room, our families, and around the country. Without them we would not be able to meet this evening.

### **Police**

Leon Anderson presented his monthly report. See attached report.

Participated with the Halloween parade and the Lily Barlow 5K event. Thank you to the fire department for their assistance with these two events also.

**Treasurer** Balances in all accounts were reported.

### **Approval of bills**

Motion by Chris Kempf, second by Keith Jay to pay the bills, carried.

### **Budget modifications**

Budget Modification

Debit	A1990.4	14.19
	A1620.4	
Credit	2	[14.19]

budget adjustment for library repairs/maintenance items

Motion B McGuire\_Second C Kempf carried

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### **Old Business:**

**Shared Services Agreement** still working on this with attorney

Bond Rate for backhoe purchase received

Decision on backhoe purchase-tabled until spring

Census 2020, needs to know how many units in apartments buildings-Wes completed and returned to Nancy.

### **New Business:**

Bill recommended that last night's discussions should be run by the state comptroller, Nancy to contact the town Attorney.

Does the Board want to plan a Holiday gathering?

Announcement regarding the beautification program, photos to be at the village office and please stop in and vote.

ADJOURNMENT: A motion was made by Keith Jay second by Bill McGuire to adjourn the meeting at 7:47 pm. Motion approved unanimously.

Respectfully submitted,  
Diane Bassette Nelson  
Deputy Clerk

The Board of Trustees of the Village of Interlaken held a special meeting, Wednesday, November 8, 2017 at 7:00 pm at the Village Hall, 8369 Main Street, Interlaken, NY. The meeting was opened by Mayor Richardson with the pledge of allegiance.

The following members were present:

Mayor Richard Richardson

Trustees: Keith Jay  
Chris Kempf  
Bill McGuire  
Tony Del Plato

Others present:

Nancy Swartwood, Village Clerk-Treasurer  
Leon Anderson, Village Police Chief  
David Garwood, Village Attorney.

Motion by Richard Richardson to enter into executive session at 7:10 pm to discuss current pending litigation, second by Keith Jay, carried.

Motion by Keith Jay to exit executive session at 8:43, second by Tony Del Plato, carried.

**RESOLUTION OF THE VILLAGE OF INTERLAKEN  
TO PROVIDE DEFENSE TO POLICE CHIEF LEON ANDERSON UNDER PUBLIC  
OFFICERS LAW §18 RELATED TO SENECA COUNTY INDEX NUMBER 51559/2017**

**WHEREAS**, Village Trustee, William McGuire has commenced a legal action against Village Police Chief Leon Anderson [William McGuire v. Leon Anderson, Index Number 51559/2017]; and,

**WHEREAS**, Leon Anderson has submitted a written request for defense against the action; and,

**WHEREAS**, the village of Interlaken previously passed a resolution (i) to confer the benefits of Public Officers Law §18 upon its employees, and (ii) to be held liable for the costs incurred under the provisions of Public Officers Law §18; and,

**WHEREAS**, the Village Board has reviewed the legal action, considered the underlying action, and determined that the previous actions taken by Leon Anderson, of filing a Petition seeking the removal of a Village Trustee, where in furtherance of his duties as Police Chief.

**NOW THEREFORE, BE IT RESOLVED (upon motion made, seconded and discussion held) by the Board of Trustees of the Village of Interlaken, Seneca County, State of New York (by a favorable vote of not less than two-thirds of such board), as follows:**

**SECTION 1.** The governing body of the Village of Interlaken hereby agrees by the adoption this Resolution, to confer the benefits of Public Officers Law §18 upon its Public Officer, Police Chief Leon Anderson, and Defend against the allegations contained in the Verified Complaint, Seneca County Index Number 51559/2017, and (ii) to be held liable for the reasonable defense costs incurred under the provisions of Public Officers Law §18.

**SECTION 2.** Under this Resolution, the Village of Interlaken does not at this time agree to indemnify or save harmless Police Chief Leon Anderson, but shall await the conclusion of the action to determine if indemnification is appropriate, necessary, and warranted.

**SECTION 3.** The Village Board authorizes Police Chief Anderson to retain private counsel, as the Village Board determines a conflict of interest would exist if the Village's attorney were to represent the Village Police Chief against an action commenced by a member of the Board of Trustees.

**SECTION 4.** This Resolution was approved by a majority of the Trustees, on the 8<sup>th</sup> day of November, 2017, and this Resolution shall take effect immediately.

**WHEREFORE,** the foregoing Resolution was put to a vote of the members of the Board of Trustees of the Village this 8th day of November, 2017, the result of which vote was as follows:

Deputy Mayor Rich Richardson	<u>Aye</u>	_____
Trustee Chris Kempf	<u>Aye</u>	_____
Trustee Keith Jay	<u>Nay</u>	_____
Trustee Bill McGuire	<u>Abstain</u>	_____
Trustee Anthony Del Plato	<u>Aye</u>	_____

Dated: November 8, 2017

Nancy Swartwood  
Village Clerk-Treasurer