

Minutes of the Interlaken Village Board of Trustees meeting held on Thursday February 27, 2014 at the Village Hall on Main Street, Interlaken, NY. Meeting was postponed from both February 13th and February 20th due to the extreme winter weather conditions.

MEMBERS PRESENT: Mayor William Larsen, Trustees: Barbara Stewart, Chris Kempf and Kelly VanRiper.

MEMBERS EXCUSED: Mike Covert

OTHERS PRESENT: Nancy Swartwood, Clerk/Treasurer, Ray Langlois DPW Supervisor Leon Anderson, Chief of Police; Diane Bassette Nelson Deputy Clerk; Aneta Glover, reporter, Walter and Nancy Rudolph new owners of the Glass Magnolia.

The meeting was called to order at 7:00 pm by Mayor Larsen with the Pledge of Allegiance.

APPROVAL OF MINUTES: A motion was made by Chris Kempf and seconded by Kelly VanRiper to approve the minutes of the January 9, 2014 meeting. Motion approved unanimously.

PUBLIC TO BE HEARD: Welcomed new members of the community, and discussed the on-going problem of the cats in the area.

COMMITTEE REPORTS:

A The joint CPR class will be was held with Lodi on Jan 7th

The department is responding to calls in our district and neighboring districts per the new and training are on-going.

The Truck committee is active; Dale is looking at financing options.

March 29th is the Fire Department Banquet, at the Sportsmen's Club.

Annual Chicken Bar-B-Q on Palm Sunday, April 13th.

Volunteer Fire Fighters have been ruled exempt from the Obamacare provisions.

Generator repairs are hopefully completed.

B **Water** Ray was honored at the January water meeting of the Finger Lakes Water Works association as operator of the year. Congratulations to Ray on the award.

Five main breaks and eight residential breaks. There may be another but un-located at this time. Thank you to Wes and Mike Welch for all their assistance on the breaks.

We have copies of the water transmission system filed at the Seneca County Offices and a copy is available at the Town Offices.

C **Library** Looking for a new library manager, and a date for a spring Bar-B-Q.

D **Sewer** meetings dealing with letters received regarding our policies and procedures. We have applied for Hardship Funds to assist in dealing with needs at the Sewer Plant.

E **Streets:** We have a large number of pot holes which will be dealt with in the future. We are receiving more regulatory notices.

F **Police** Leon submitted a written report to the board outlining activities for the month of January 2014

Leon introduced Tim Camilli as the new Part-time officer

G **Treasurer: See attached**

APPROVAL OF BILLS: A motion was made by Barb Stewart seconded by Kelly VanRiper to approve the bills as read. Motion approved unanimously.

OLD BUSINESS:

Arbor Day tree planting at South Seneca Elementary postponed until Spring 2014, Barb is working on this.

NEW BUSINESS:

Annual review of budget items, plans and projects for upcoming fiscal year

Resolution Local Law 2014 A

Resolution introducing Proposed Local Law No. A of the year 2014, “A local law to amend the Village Code of the Village of Interlaken § 38-1, ‘Residency requirements for certain officials,’” and providing for a public hearing.

WHEREAS, the New York Attorney General has opined that a village may enact a local law authorizing the board of trustees to provide that the village clerk, deputy clerk, village treasurer and deputy treasurer need not be residents of the village but must be residents of the county in which the village is located or in an abutting or adjacent county [Op.Atty.Gen. (Inf.) 83-29]; and

WHEREAS, it has been recommended that it is in the best interests of the Village that there be introduced a Local Law as follows:

Section 1. Amendment.

Village Code of the Village of Interlaken § 38-1. “Residency requirements for certain officials,” is hereby stricken in its entirety and replaced with the following:

§ 38-1. Residency requirements for certain officials.

The village clerk, deputy clerk, village treasurer, deputy treasurer, clerk-treasurer and deputy clerk-treasurer need not be residents of the village but must be residents of Seneca County, New York or of any of the counties abutting or adjacent to Seneca County, New York. The intent of this local law is to be a waiver of the residency requirements of

Section 3 of the Public Officers Law and Section 2-240 of the Village Law of the State of New York.

Section 2. Repealer.

All local law or parts thereof inconsistent with this local law are hereby repealed.

Section 3. Severability.

If any clause, sentence, paragraph, section, article or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, section, article or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 4. When effective.

This local law shall take effect immediately upon filing with the Secretary of State of the State of New York, as provided by law.

AND NOW, THEREFORE, BE IT RESOLVED that Proposed Local Law No. A of the year 2014, “A local law to amend the Village Code of the Village of Interlaken § 38-1, ‘Residency requirements for certain officials,’” be and the same is hereby introduced before the Board of Trustees of The Village of Interlaken, New York; and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed local law be laid upon the desks of each member of the Board of Trustees; and

BE IT FURTHER RESOLVED that the Board of Trustees hold a public hearing on said proposed Local Law at the Village Office Building, 8369 Main St, Interlaken, New York at **7:00 pm on the 10th day of April, 2014**; and

BE IT FURTHER RESOLVED that the Village Clerk publish or cause to be published a notice of said public hearing in the official newspaper of the Village at least ten (10) days prior thereto; and

BE IT FURTHER RESOLVED that the Village Clerk shall cause service of written notice of the proposed local law at least ten (10) days prior to the date of the public hearing of any proposed regulations, affecting property within five hundred feet of the following made personally or by mail by the village upon each person or persons listed below:

(a) The property of the housing authority erecting or owning a housing project authorized under the public housing law; upon the executive director of such housing authority and the chief executive officer of the municipality providing financial assistance thereto; (b) The boundary of a city, village or village; upon the clerk thereof; (c) The boundary of a county; upon the clerk of the board of supervisors or other person performing like duties; (d) The boundary of a state park or parkway; upon the regional state park commission having jurisdiction over such state park or parkway.

Motion by Barb Stewart-- Second by Chris Kempf approved

Resolution Local Law 2014 B Motion by Kelly VanRiper Second by Barb Stewart carried.

Resolution introducing Proposed Local Law No. B of the year 2014, “A local law to amend the Village Code of the Village of Interlaken § 110-4: ‘Brush, grass and weeds; accumulation of trash’” and providing for a public hearing.

WHEREAS, it has been recommended that it is in the best interests of the Village that there be introduced a Local Law as follows:

Section 1. Amendment.

Village Code of the Village of Interlaken Section 110-4(C): “Failure of owner or occupant to comply; enforcement procedures” is hereby stricken in its entirety and replaced with the following:

(C): Failure of owner or occupant to comply; enforcement procedures. In case the owner or occupant of real property located within the Village of Interlaken shall fail to comply with Subsections A and B of this section:

i. First Notice:

The Village Police shall give first notice of such violation to the person, persons or entities responsible therefore under this section. Such notice shall be in writing and shall include a concise statement of the reasons for its issuance. Such notice shall be deemed to be properly and sufficiently served if a copy thereof is personally served in any of the following methods:

- a) sent by certified mail, return receipt requested, to the last known address of the person or entity upon which the same is served, as shown by the most recent tax records of the municipality, or;
- b) a copy thereof handed to said person or persons;
- c) or a copy thereof left at the usual place of abode or office of said persons or entities.

Notice shall be given as aforesaid within or without the municipality. The notice shall also state that unless the violation is abated, removed, cured, prevented or desisted within seven (7) days of the date of service of such notice (exclusive of the date of service), such person, persons or entities may be charged with a violation of the Village Code.

ii. Second Notice:

If such violation is abated, removed, cured, prevented or desisted within seven (7) days of the date of service of such notice (exclusive of the date of service), the Village Clerk/Treasurer shall give second notice of such violation to the person, persons or entities responsible therefore under this section. Such notice shall be in writing and shall include a concise statement of the reasons for its issuance. Such notice shall be deemed to be properly and sufficiently served if a copy thereof is personally served in any of the following methods:

- a. sent by certified mail, return receipt requested, to the last known address of the person or entity upon which the same is served, as shown by the most recent tax records of the municipality, or;
- b. a copy thereof handed to said person or persons; or
- c. a copy thereof left at the usual place of abode or office of said persons or entities.

Notice shall be given as aforesaid within or without the municipality. The notice shall also state that unless the violation is abated, removed, cured, prevented or desisted within seven (7) days of the date of service of such second notice (exclusive of the date of service), a summons shall be issued for such violation.

- iii. In the event that the violation is not abated, removed, cured, prevented, or desisted from or otherwise fully remedied within said fourteen-day period, pursuant to the foregoing, a summons shall be issued against the person, persons, entity or entities so notified.
- iv. Violations and penalties. Any person or entity who shall violate any of the provisions of this chapter or any other promulgated hereunder shall, after a summons is issued under the terms hereof, be punished pursuant to the provisions

of Section 1-16 of the Village Code (“Penalties for Offense”) as shall be in effect at the time of such violation.

Section 2. Repealer.

All local law or parts thereof inconsistent with this local law are hereby repealed.

Section 3. Severability.

If any clause, sentence, paragraph, section, article or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, section, article or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 4. When effective.

This local law shall take effect immediately upon filing with the Secretary of State of the State of New York, as provided by law.

AND NOW, THEREFORE, BE IT RESOLVED that Proposed Local Law No. B of the year 2014, “A local law to amend the Village Code of the Village of Interlaken § 110-4: ‘Brush, grass and weeds; accumulation of trash’” be and the same is hereby introduced before the Board of Trustees of The Village of Interlaken, New York; and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed local law be laid upon the desks of each member of the Board of Trustees; and

BE IT FURTHER RESOLVED that the Board of Trustees hold a public hearing on said proposed Local Law at the Village Office Building, 8369 Main St, Interlaken, New York at **7:00 pm on the 10th day of April, 2014**; and

BE IT FURTHER RESOLVED that the Village Clerk publish or cause to be published a notice of said public hearing in the official newspaper of the Village at least ten (10) days prior thereto; and

BE IT FURTHER RESOLVED that the Village Clerk shall cause service of written notice of the proposed local law at least ten (10) days prior to the date of the public hearing of any proposed regulations, affecting property within five hundred feet of the following made personally or by mail by the village upon each person or persons listed below:

(a) The property of the housing authority erecting or owning a housing project authorized under the public housing law; upon the executive director of such housing authority and the chief executive officer of the municipality providing financial assistance thereto; (b) The boundary of a city, village or village; upon the clerk thereof; (c) The boundary of a county; upon the clerk of the board of supervisors or other person performing like duties; (d) The boundary of a state park or parkway; upon the regional state park commission having jurisdiction over such state park or parkway.

Resolution Local Law 2014 C Motion by Chris Kempf second by Kelly VanRiper Carried
Resolution introducing Proposed Local Law No. C of the year 2014, “A local law to amend the Village Code of the Village of Interlaken by repealing § 133-18, ‘Schedule II: Stop Intersections’”and providing for a public hearing.

WHEREAS, a certain Stop sign delineated as follows has been determined to be under the jurisdiction of the New York State Department of Transportation: Stop sign on Cayuga Street at Intersection of Main Street, Direction of Travel West; and

WHEREAS, said the provisions of the Village Code related to said sign being outdated and unnecessary, it has been recommended that it is in the best interests of the Village that there be introduced a Local Law as follows:

Section 1.

Chapter 133. Vehicles and Traffic, Article VI. Schedules § 133-18. Schedule II: Stop Intersections, is hereby repealed in its entirety.

Section 2. Repealer.

All local law or parts thereof inconsistent with this local law are hereby repealed.

Section 3. Severability.

If any clause, sentence, paragraph, section, article or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, section, article or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 4. When effective.

This local law shall take effect immediately upon filing with the Secretary of State of the State of New York, as provided by law.

AND NOW, THEREFORE, BE IT RESOLVED that Proposed Local Law No. C of the year 2014, "A local law to amend the Village Code of the Village of Interlaken by repealing § 133-18, 'Schedule II: Stop Intersections'" be and the same is hereby introduced before the Board of Trustees of The Village of Interlaken, New York; and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed local law be laid upon the desks of each member of the Board of Trustees; and

BE IT FURTHER RESOLVED that the Board of Trustees hold a public hearing on said proposed Local Law at the Village Office Building, 8369 Main St, Interlaken, New York at **7:00 pm on the 11 day of April, 2014**; and

BE IT FURTHER RESOLVED that the Village Clerk publish or cause to be published a notice of said public hearing in the official newspaper of the Village at least ten (10) days prior thereto; and

BE IT FURTHER RESOLVED that the Village Clerk shall cause service of written notice of the proposed local law at least ten (10) days prior to the date of the public hearing of any proposed regulations, affecting property within five hundred feet of the following made personally or by mail by the village upon each person or persons listed below:

(a) The property of the housing authority erecting or owning a housing project authorized under the public housing law; upon the executive director of such housing authority and the chief executive officer of the municipality providing financial assistance thereto; (b) The boundary of a city, village or village; upon the clerk thereof; (c) The boundary of a county; upon the clerk of the board of supervisors or other person performing like duties; (d) The boundary of a state park or parkway; upon the regional state park commission having jurisdiction over such state park or parkway.

Resolution Seneca Co Mutual Aid Plan: Motion by Kelly VanRiper Second by Barb Stewart carried.

**RESOLUTION FOR PARTICIPATION IN
THE SENECA COUNTY FIRE MUTUAL AID PLAN**

Resolved that the Village of Interlaken, approves participation by the Interlaken Volunteer Fire Department in the Seneca County Fire Mutual Aid Plan as now in effect and as amended from time to time and certifies to the Seneca County Legislature through its Director of Emergency Services that no restriction exists against “outside services” by such fire company and/or fire department within the meaning of Section 209 of the General Municipal Law which would affect the power of such fire company/fire department to participate in such plan.

And be it further resolved that a copy of this resolution be filed with the Seneca County Director of Emergency Services.

Voted: In Favor four Opposed zero Abstained zero

Lyons National Bank proposal, it is the feeling of the board that we should remain with our local bank.

Trash Specs out to bid out ASAP Ray to contact our current vendor and see if they would like to renew at a 3%

News & Notes April edition—give information to Diane by 3/13/2014

ADJOURNMENT: A motion was made by Chris Kempf and seconded by Kelly VanRiper to adjourn the meeting at 7:48 pm. Motion approved unanimously.

Respectfully submitted,
Diane Bassette Nelson
Deputy Clerk