

Minutes of the Interlaken Village Board of Trustees meeting held on Thursday January 12, 2012 at the Village Hall on Main Street, Interlaken, NY.

MEMBERS PRESENT: Mayor William Larsen, Trustees: Michael Covert, Keith Jay, Barbara Stewart and Chris Kempf.

MEMBERS ABSENT: None

OTHERS PRESENT: Ray Langlois DPW superintendent; Nancy Swartwood Clerk/Treasurer; Jeff Bond Chief of Police; Diane Bassette Nelson Deputy Clerk; Aneta Glover, and

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 Keith Jay and seconded by Barb Stewart to approve the minutes of the December 8, 2011 and the special meeting held on January 5, 2012 meeting. Motion approved unanimously.

PUBLIC TO BE HEARD: Jeff Kostick & Carol Fingar spoke on the Cayuga Lake Scenic Byway. Three counties: Seneca, Cayuga and Tompkins. Planning to include a Geocaching trail to encourage people to visit the area. Most trails take two to three days to complete. This will encourage staying in the communities along the trail. 15 to 16 cache along the way. Can not put new ones too close to existing caches. The trail will be registered on Geocache.com, also caugalake.com (Byways website). A commemorative coin will be given to people who complete the required number of "finds." Seeking start-up funds to get printing done, get boxes, coins and swag for the boxes. 500 coins and books to start, \$6,500 total budget to begin.

Over 1.3 million registered geocache participants. There are caches at Ithaca, Trumanburg, Lake View Cemetery, Aurora. Hoping to have the trail up and running about June 1, 2012. Free apps for phones.

Discussion with the communities to determine best location for

Motion by Keith Jay, second by Mike Covert to donate \$500 toward the project. Executive director will send billing to Nancy.

#### COMMITTEE REPORTS:

A **Fire**. No new members; working on the contracts, Checking on windows at the fire house. Three are duct tape shut. Some of sills are rotten. Keith has gotten quote to replace all ten windows for \$3,700. Motion by Keith Jay second by Chris Kempf to have South Seneca Vinal replace them. Wiring and plumbing for the new washer are in place. The machine should be here shortly.

**B Water** Seneca County Dept of Health water inspection, we did well. Accepted the engineering report on “no influence on surface water.”

Funding concerning the Lively run restoration project: permits are filed, packets for property owners ready, all good.

Long range planning for a water source for South Seneca county, will be meeting with Town of Covert, Lee Davidson, town of Lodi supervisor; Fran Steverson, Mayor of Lodi; Chuck Franzee, Hunts Engineer, and Village of Trumansburg. The cost will be approximately \$3,000 per community for the initial survey pending scope of survey. We are required by law to have a second source for water. We have two wells (Mason 20 gallons per minute and Wilson 70 gallons per minute.

Meeting in February for water works. Pump #1 went down. Fan on end of impeller, waiting for part, should be in any day. Wes and ray have been doing a lot of maintenance on the pump waiting for the part to come in. They have a new cabinet for tools. Working on water meters, all read, replacing some meters. Badger has done away with manual read meters, we have purchased all their stock for repairs. We will eventually need new heads. People are now aware that a fee will be charged if they freeze their meter.

Still trying to get funds from Great Lakes funding for detention pond.

**C Library** New committee being formed by Seneca supervisors, a technology committee (subcommittee) will be looking at funding/allocations for libraries. There may be opposition to libraries. Barb will be monitoring this process and will be working with others in the area.

**D Sewer** is good. Heater in the building quit after 12 years, Ray and Wes have installed a new unit.

**E Street:** No CDBG grant. Did not get enough surveys. Can do an exit interview to find out more about selection process. Can be part of the Bishop Sheen segment. Chris will continue to follow up with others, Peter Brown, and others.

Maintenance has been ongoing, new foot pedal on backhoe, valve at water plant.

Wes did have close call with a the dump truck, new mirror have been installed.

Mike Covert and Ray have been talking about benches for Main Street.

**F Police:** Radar trailer is 12 years old, batteries not holding charge. Will be getting three new batteries, about \$150, will try to get funding from Stop DWI to cover cost.

Crossing guard Ronnie Bowers, seems to being doing well. Jerry will help cover hours when Ronnie can not work.

Grant monies, received just under \$3,000 for Stop DWI.

Reported positive motion on Justice.

Courtesy tickets have been issued.

Working on problem property on Knight Street (Marion).

**G Treasurer: See attached**

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

Letter from Community Bank, regarding savings account transfers. Motion by Keith Jay, second Barbara Steward that Nancy open a second savings account for use in transferring funds, carried.

**OLD BUSINESS:**

DL Parkison 2012 Holiday Schedule, Ray to confirm, and advise.

Jeff talked with Andy Herrala about the old fitness center. Need to determine a proposal from Village to Andy. Ten year lease at \$1.00, then purchase in future. Bill will talk to Gabriel and we will move forward on the project.

Discussion of repairs on village hall toilet.

**NEW BUSINESS:**

Resolution for new code book. Need a public hearing at the February 9<sup>th</sup>. Motion by Mike Covert, second by Chris Kempf to approve the resolution and schedule a public hearing on February 9<sup>th</sup>.

**RESOLUTION INTRODUCING PROPOSED LOCAL LAW 1 OF THE YEAR 2012, ENTITLED  
“ A LOCAL LAW TO PROVIDE FOR CODIFICATION OF THE LOCAL LAWS, ORDINANCES  
AND CERTAIN RESOLUTIONS OF THE VILLAGE OF INTERLAKEN, NEW YORK INTO A  
MUNICIPAL CODE TO BE DESIGNATED ‘CODE OF THE VILLAGE OF INTERLAKEN’”  
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:**

**ARTICLE I  
Adoption of Code**

**§ 1-1. Legislative intent.**

In accordance with Subdivision 3 of § 20 of the Municipal Home Rule Law, the local laws, ordinances and certain resolutions of the Village of Village of Interlaken, as codified by General Code, and consisting of Chapters 1 through 141, together with an Appendix, shall be known collectively as the "Code of the Village of Village of Interlaken," hereafter termed the "Code." Wherever reference is made in any of the local laws, ordinances and resolutions contained in the "Code of the Village of Village of Interlaken" to any other local law, ordinance or resolution appearing in said Code, such reference shall be changed to the appropriate chapter title, chapter number, article number or section number appearing in the Code as if such local law, ordinance or resolution had been formally amended to so read.

**§ 1-2. Continuation of existing provisions.**

The provisions of the Code, insofar as they are substantively the same as those of local laws, ordinances and resolutions in force immediately prior to the enactment of the Code by this local law are intended as a continuation of such local laws, ordinances and resolutions and not as new enactments, and the effectiveness of such provisions shall date from the date of adoption of the prior local law, ordinance or resolution. All such provisions are hereby continued in full force and effect and are hereby reaffirmed as to their adoption by the Board of Trustees of the Village of Village of Interlaken, and it is the intention of said Board that each such provision contained

within the Code is hereby reaffirmed as it appears in said Code. Only such provisions of former local laws and ordinances as are omitted from this Code shall be deemed repealed or abrogated by the provisions of § 1-3 below.

**§ 1-3. Repeal of enactments not included in Code.**

All local laws and ordinances of a general and permanent nature of the Village of Village of Interlaken in force on the date of the adoption of this local law and not contained in such Code or recognized and continued in force by reference therein are hereby repealed from and after the effective date of this local law.

**§ 1-4. Enactments saved from repeal; matters not affected.**

The repeal of local laws and ordinances provided for in § 1-3 of this local law shall not affect the following classes of local laws, ordinances, rights and obligations, which are hereby expressly saved from repeal:

- A. Any right or liability established, accrued or incurred under any legislative provision of the Village of Village of Interlaken prior to the effective date of this local law or any action or proceeding brought for the enforcement of such right or liability.
- B. Any offense or act committed or done before the effective date of this local law in violation of any legislative provision of the Village of Village of Interlaken or any penalty, punishment or forfeiture which may result therefrom.
- C. Any prosecution, indictment, action, suit or other proceeding pending or any judgment rendered prior to the effective date of this local law, brought pursuant to any legislative provision of the Village of Village of Interlaken.
- D. Any agreement entered into or any franchise, license, right, easement or privilege heretofore granted or conferred by the Village of Village of Interlaken.
- E. Any local law or ordinance of the Village of Village of Interlaken providing for the laying out, opening, altering, widening, relocating, straightening, establishing grade, changing name, improvement, acceptance or vacation of any right-of-way, easement, street, road, highway, park or other public place within the Village of Village of Interlaken or any portion thereof.
- F. Any local law or ordinance of the Village of Village of Interlaken appropriating money or transferring funds, promising or guaranteeing the payment of money or authorizing the issuance and delivery of any bond of the Village of Village of Interlaken or other instruments or evidence of the Village's indebtedness.
- G. Local laws or ordinances authorizing the purchase, sale, lease or transfer of property, or any lawful contract, agreement or obligation.
- H. The levy or imposition of special assessments or charges.
- I. The annexation or dedication of property.
- J. Any local law or ordinance relating to salaries and compensation.
- K. Any local law or ordinance amending the Zoning Map.
- L. Any local law or ordinance relating to or establishing a pension plan or pension fund for municipal employees.
- M. Any local law or ordinance or portion of a local law or ordinance establishing a specific fee amount for any license, permit or service obtained from the Village.
- N. Any local law adopted subsequent to 4-14-2011. § 1-

**5. Severability.**

If any clause, sentence, paragraph, section, article, chapter or part of this local law or of any local law, ordinance or resolution included in this Code now or through supplementation 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, chapter or part thereof directly involved in the controversy in which such judgment shall have been rendered.

**§ 1-6. Copy of Code on file.**

A copy of the Code, in loose-leaf form, has been filed in the office of the Village Clerk of the Village of Village of Interlaken and shall remain there for use and examination by the public until final action is taken on this local law; and, if this local law shall be adopted, such copy shall be certified by the Village Clerk of the Village of Village of Interlaken by impressing thereon the Seal of the Village of Village of Interlaken, and such certified copy shall remain on file in the office of said Village Clerk to be made available to persons desiring to examine the same during all times while said Code is in effect. The

enactment and publication of this local law, coupled with the availability of a copy of the Code for inspection by the public, shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

**§ 1-7. Amendments to Code.**

Any and all additions, deletions, amendments or supplements to any of the local laws, ordinances and resolutions known collectively as the "Code of the Village of Village of Interlaken" or any new local laws or resolutions, when enacted or adopted in such form as to indicate the intention of the Board of Trustees to be a part thereof, shall be deemed to be incorporated into such Code so that reference to the Code shall be understood and intended to include such additions, deletions, amendments or supplements. Whenever such additions, deletions, amendments or supplements to the Code shall be enacted or adopted, they shall thereafter be printed and, as provided hereunder, inserted in the loose-leaf book containing said Code as amendments and supplements thereto. Nothing contained in this local law shall affect the status of any local law, ordinance or resolution contained herein, and such local laws, ordinances or resolutions may be amended, deleted or changed from time to time as the Board of Trustees deems desirable.

**§ 1-8. Code book to be kept up-to-date.**

It shall be the duty of the Village Clerk to keep up-to-date the certified copy of the book containing the Code of the Village of Village of Interlaken required to be filed in the office of the Village Clerk for use by the public. All changes in said Code and all local laws and resolutions adopted by the Board of Trustees subsequent to the enactment of this local law in such form as to indicate the intention of said Board to be a part of said Code shall, when finally enacted or adopted, be included therein by temporary attachment of copies of such changes, local laws or resolutions until such changes, local laws or resolutions are printed as supplements to said Code book, at which time such supplements shall be inserted therein.

**§ 1-9. Sale of Code book; supplementation.**

Copies of the Code, or any chapter or portion of it, may be purchased from the Village Clerk, or an authorized agent of the Clerk, upon the payment of a fee to be set by resolution of the Board of Trustees. The Clerk may also arrange for procedures for the periodic supplementation of the Code.

**§ 1-10. Penalties for tampering with Code.**

Any person who alters or tampers with the Code of the Village of Village of Interlaken in any manner whatsoever which will cause the legislation of the Village of Village of Interlaken to be misrepresented thereby, or who violates any other provision of this local law, shall be guilty of an offense and shall, upon conviction thereof, be subject to a fine of not more than \$250 or imprisonment for a term of not more than 15 days, or both.

**§ 1-11. Changes in previously adopted legislation; new provisions.**

- A. In compiling and preparing the local laws, ordinances and resolutions for publication as the Code of the Village of Village of Interlaken, no changes in the meaning or intent of such local laws, ordinances and resolutions have been made, except as provided for in Subsection B hereof. In addition, certain grammatical changes and other minor nonsubstantive changes were made in one or more of said pieces of legislation. It is the intention of the Board of Trustees that all such changes be adopted as part of the Code as if the local laws, ordinances and resolutions had been previously formally amended to read as such.
- B. In addition, the amendments and/or additions as set forth in Schedule A attached hereto and made a part hereof are made herewith, to become effective upon the effective date of this local law. (Chapter and section number references are to the local laws, ordinances and resolutions as they have been renumbered and appear in the Code.)

**§ 1-12. Incorporation of provisions into Code.**

The provisions of this local law are hereby made Article I of Chapter 1 of the Code of the Village of Village of Interlaken, such local law to be entitled "General Provisions, Article I, Adoption of Code," and the sections of this local law shall be numbered §§ 1-1 to 1-13, inclusive.

**§ 1-13. When effective.**

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

**AND NOW, THEREFORE, BE IT RESOLVED** that proposed Local Law No. \_\_1\_\_ of the year 2012 entitled "A LOCAL LAW TO PROVIDE FOR CODIFICATION OF THE LOCAL LAWS, ORDINANCES AND CERTAIN RESOLUTIONS OF THE VILLAGE OF INTERLAKEN, NEW YORK INTO A MUNICIPAL CODE TO BE DESIGNATED 'CODE OF THE VILLAGE OF

**INTERLAKEN”** 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 9th day of February, 2012**; 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 refer the aforesaid proposed local law to the planning board of the County of Seneca for review pursuant to General Municipal Law § 239-m prior to final action by the Board of Trustees; 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.

Next meeting will be Thursday February 9th.

ADJOURNMENT: A motion was made by Chris Kempf and seconded by Barb Stewart to adjourn the meeting at 8:30 pm. Motion approved unanimously.

Respectfully submitted,

Diane Bassette Nelson

Deputy Clerk