

Minutes of the Interlaken Village Board of Trustees meeting held on Thursday June 17, 2021 at the Village Hall and via Go-to-Meetings

MEMBERS PRESENT: Mayor Richardson; Trustees: Pepper; Present via Go-to-Meetings Trustee Del Plato, Kempf and Barr

MEMBERS EXCUSED:

OTHERS PRESENT: Clerk Treasurer Swartwood, Code Officer Jean Jay, Police Officer Morse and via Go-to-meetings Interim Police Chief Dinardo, DPW Super. Ahouse, Jim Borden, Fire Chief

PUBLIC PRESENT: Rachel Ditmars and Zachary Presher and via Go-to-Meetings: P. Stannard, M. Nihil

Mayor Richardson called the meeting to order at 6:30 pm with the Pledge of Allegiance.

APPROVAL OF MINUTES: Motion made by Pepper to approve May, 13 2021 minutes and May 27, 2021 minutes second Barr, carried.

Public to be Heard: Rachel Ditmars of 3801 Main St., Interlaken presented her permit application with documentation to house chickens. Surrounding neighbors on east side have no problem, one neighbor on west side (who has a business) is concerned about the noise. Trustee Kempf commented there is a rooster in his neighborhood-no one has issues with that. Mayor Richardson commented should the existing barn be moved 30 feet to the town side, the noise would be the same as being on the village side. Should nuisance issues and chickens getting into neighbors' property, then some action would have to take place. Motion by Richardson to approve the permit application, second Del Plato, carried. (Ayes 4 abstain 1).

Library:

W Ahouse – yard maintenance continues, digging a trench to move the propane line. Richardson mentioned there were no updates on the parking lot. Bushes need to be removed on either side of the monument and replaced with new ones. Trustee Barr has spoken with Mr. Stulfotz at Country Side Market.

Fire:

7 calls for May

Need to order 3 sets of turn out gear. Old sets will be used by other members. Air packs inspected and serviced. Pump testing, NFPA inspections on trucks. Some maintenance/repairs on 501 and 503. 502 more issues, wire damage (rodents) engine repair. Hose testing will be in July

Pole replacement at firemen's field has been completed. Speakers need new wiring. Wilkins should be starting the siding on the building.

Car show is a go in August.

Water:

Normal monthly testing and reporting. Repaired service line at Reformed Church. Five residents inquired on filling pools. Consumption is higher than normal (7-9K), looking for leaks. NY Rural Water came to locate them. Found one at apartments on Rail Road, one on Main St. Froze line to make repairs by New England Backflow. To purchase our own unit \$800-1,000, could possibly share with V-Ovid. Repair/reset shut-off box CR 150. Assisted Town of Romulus with large water main break. Leak found at vacant house, consumption still 5K high. Checked hydrants, nothing there. Little noise heard between Lincoln/Hastings on Main St. DPW to listen at night when there is less noise. CLA Valve trying to get blow off valve adjusted, can't seem to get it straightened out – DPW not happy about it. Issue with Ross Valve invoicing – not receiving credits for returns.

Dehumidifier installed at water plant. AquaStore inspected the tank and caulked the bottom ring on the outside. There is hard water scale on the floor of tank. Hunt working on filtration system and talks continue with Flagg's. Chief Borden commented they filled the trucks (3K gal) and pump testing (2,500 gal) used.

Sewer:

Normal services from Yaws and Brewers. Pump in sludge pit stopped working, found old pump in shop installed it, worked for a short while. Looking for a replacement, USA BlueBook \$1,300-1,500 – ordered it. In the interim, Yaws has small pump we are using 1-2 days per week. Bush-hogged around lines behind Ditmars and Conifer. New chlorometer purchased. Hunt's surveying the Village, tags are at the plant. Cleaned trickling filter.

Richardson participated in CDBG grant application review. They indicated what was lacking, so we can fix that and we are reapplying with Municipal Solutions doing the application and submittal.

Streets:

Flags are up. Storage container has been leveled. New rear tires on the zero turn from Switzer. Trimmed trees, purchased mulch for garden club at Memorial Garden. F250 Maguire \$37,300 plus \$5,600 for western plow, earliest to receive is November 2021. Summer job applicant backed out, took another job.

Police:

IPD handled 13 calls for service 7 vehicle and Traffic Stops, 1 Motor vehicle accident, 1 arrest.

IPD participated in the Town of Ovid Memorial Day Parade

Acting Chief DiNardo is continuing to update and develop any SOP's that need to be done and once finalized will be looking to have them stored electronically.

Radar trailer is down, who to fix? AlarmTech can take a look at it.

Request the Board to approve hiring Zach Presher for the position of Recruit Officer.

IPD was awarded \$4800 Federal Grant for the purchase of Body Armor - used to pay for half of each body armor. Application submitted to the state for the remaining half of body armor but they have to be paid prior to paying.

Request the board approve purchasing Body Armor for Morse, DiNardo, Deal and recruit if hired.

Axon Body Worn Camera / Taser Lease discussion \$139 a month

Richardson indicated there is a grant for these, DiNardo to look into that.

Codes:

West Ave house is secure and lawn will be mowed along with a dumpster being brought in. Dog warnings issued. VW car on Prospect, certified letter sent – no response received. IPD to get involved.

Treasurer:

Balances of accounts were read

May 31, 2021

Accounts receivable as of 5/31/2021

<i>Water</i>	<i>7,295.68</i>
<i>Sewer</i>	<i>3,727.94</i>
<i>Taxes</i>	

Abstracts – June 2021

<i>General Fund</i>	<i>43,356.03</i>
<i>Water Fund</i>	<i>5,720.39</i>
<i>Sewer Fund</i>	<i>2,703.05</i>
<i>Water Proj.</i>	<i>370.00</i>
<i>Sewer Proj.</i>	<i>112.50</i>

General Fund – in a holding pattern:
Hunt Engr Inv Mechanic St

Budget Modification May 31, 2021

Printed entries from accounting system at the end of these minutes. In order to close year end, budget modifications needed to be entered

Motion by Richardson to approve budget modifications, second Barr, carried

Approval of Bills: Motion by Kempf, 2nd Del Plato, carried.

Old Business:

Bridge NY – grant application has been submitted-waiting to hear back.

New Business:

Motion by Barr to approve resolution to create an employee benefit accrued liability reserve fund, second Richardson, carried

**RESOLUTION APPROVING AND AUTHORIZING THE CREATION OF AN
EMPLOYEE BENEFIT ACCRUED LIABILITY RESERVE FUND PER GENERAL
MUNICIPAL LAW § 6-p**

The following Resolution was duly presented for consideration by the Village Board of Trustees:

WHEREAS, the Village Board of Trustees (the "Village Board") has examined and discussed the need for and feasibility of establishing a reserve fund to provide for the future payout of earned but unused employee benefits, such as accrued but unused and non-paid sick leave, personal leave, holiday leave, vacation time, time allowances granted in lieu of overtime compensation, and any other forms of payment for accrued but unliquidated time earned by and payable to municipal employees upon termination of service, whether by retirement or otherwise, as authorized by ordinance, local law, collective bargaining agreement, Civil Service Law ("CSL") § 6, or any expenditures as may made pursuant to General Municipal Law ("GML") § 6-p(2); and

WHEREAS, although many reserve funds are either "type" or "specific" funds (and all capital improvement funds are so classified), and such classifications tend to denote when permissive referenda may be required to appropriate money to a fund, or to expend money from a fund, per the GML and Opinions of the NYS Comptroller, this type of reserve fund does not require referenda at the time of creation or funding, nor at the time funds are expended (unless, in some cases, funds are transferred to or from other reserve funds, or upon certain liquidations of reserve funds); and

WHEREAS, upon consideration of the foregoing purposes, it is hereby **RESOLVED** as follows:

1. Pursuant to General Municipal Law §6-p, as now exists or as hereafter amended or recodified, there is hereby established a reserve fund to be known as the "Village of Interlaken Employee Benefit Accrued Liability Reserve Fund" (hereinafter "Reserve Fund"). Such Reserve Fund is a specific fund within the meaning of the General Municipal Law.

2. One purpose of this Reserve Fund is to accumulate moneys to finance the cost of earned and unpaid employee benefits and perquisites arising from or on account of any number of lawful sources or reasons, including general benefits of employment, collective bargaining agreements and benefits, Civil Service Law benefits, benefits and perquisites arising under the Labor Law, or New York or federal law generally, including all general benefits and perquisites and various types of leave time arising by agreement or by law, such as but not limited to sick leave, personal leave, holiday leave, and vacation time. It is the further purpose of this Reserve Fund to provide for better fiscal stability by having a reserve fund available for planned and non-planned retirement and leave-of-services costs, some of which arise unexpectedly during a fiscal year and place stress on managed budgets.

3. The chief fiscal officer of the Village is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by General Municipal Law § 10. The Village Board may invest the moneys in the Reserve Fund in the manner provided by General Municipal Law § 11, with such deposits and investments to be consistent with

the depository and investment policies of the Village. In each case, any interfund transfers between reserve funds, including upon dissolution of this or any other fund, must follow the requirements of GML § 6-p. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund.

4. Any action or claim for accrued employee benefits shall be compromised or settled by the Village Board, or any public officer of the Village authorized to settle or compromise actions or claims on behalf of the Village.

5. An expenditure may be made from this fund for the payment of all or part of the cost, including interest, of any of the following: (i) the cash payment of the monetary value of accumulated or accrued and unused sick leave, holiday leave, vacation leave, time allowance granted in lieu of overtime compensation, and other forms of payment for accrued leave time and benefits due to a municipal employee upon termination of municipal employment and separation from service as required by ordinance, local law, collective bargaining agreement, or CSL § 6; (ii) reasonable costs of the administration of the reserve fund; and (iii) expert or professional services rendered in connection with the investigation, adjustment or settlement of claims, actions or judgments relating to claims for accrued employee benefits.

6. 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 or 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 Village Board a detailed report of the operation and condition of the Reserve Fund.

7. Except as otherwise provided by law, expenditures from this Reserve Fund shall be made only pursuant to the following rules: (i) funds may be expended only for a lawful purpose for which the Reserve Fund is established; (ii) funds may be expended only upon approval of the Village Board of Trustees, or upon the approval of any public officer of the Village authorized to make such determinations on behalf of the Village; and (iii) no expenditures from this fund are allowed, permitted, or may be so authorized when the Village has a reserve fund established under any other law covering such liability, cost, or expense.

Public Hearing July 8, 2021 for public comments on V-Interlaken's community development grant at 6:30. Legal notices to be published and put in conspicuous places in the Village.

Continuing Intermunicipal Agreement with the Town of Ovid, Richardson signed the document, IPD to take to Ovid.

Motion by Richardson to approve updated rules of procedure for the board that now includes in item 3. QUORUM: A quorum of the Board must be physically present either in the Village Hall **"or via meeting link on the Village website to conduct business"**, second Pepper, carried.

Letter from BCBS proposed rate increase of 10.04% estimated \$720/year increase.
Cindy, records clerk went to training on records management and submitted her mission statement to the board. Items needed at some point, computer (laptop), scanner and external backup system.

C Peterson dropped off information on an invasive bug-Spotted Lantern Fly. This fly damages and destroys grapes, fruit trees and hops, to name a few. Barr indicated that he has had them on his maple trees and the flies killed his trees.

Additional Comments:

Kempf inquired about the survey at the old water tower site. Richardson to ask C Hastings what firm the library used.

Motion by Richardson to enter into executive session at 7:40 pm to discuss hiring Zachary Presher to the position of Police Officer Recruit, motion by Pepper, carried.

Motion by Richardson to exit executive session at 7:50 pm, second Pepper, carried

Motion by Richardson to hire Zachary Presher as Police Officer Recruit and allowing him to attend second phase of Police Academy, second Pepper, carried.

Adjournment: Motion by Richardson to adjourn at 7:52 pm, 2nd Del Plato, carried.

Respectfully,
Nancy Swartwood
Clerk/Treasurer
June 17, 2021