REGULAR MEETING

November 15, 2021

PRESENT: Mayor Robinson, Trustees Appleton, Gardner, LaWall and Wagner, Clerk Allen, Superintendent Evans, and Chief Hoffmeister

Others Present: James Ferrin, Marcia Rease, Nicole O'Brien, Rick Ryan, Cassandra O'Brien, Valerie Duell, Peter Robinson, Craig Voorhees, Bridget Ryan, Sally Smith, Steve Lee, Valerie Henrici, Alden Schadt, and Nick Ulrich.

Mayor Robinson presided.

Meeting was open with a salute to the flag.

The minutes from the previous meeting of November 1, 2021 were approved as submitted by email.

COMMUNITY AFFAIRS – Valerie Henrici gave updates on Moonlight Magic event set for December 3rd. There will be a chili contest, decorated wreaths and elf on the shelf to name a few. The Warsaw Chamber has a dinner dance scheduled for December 11th to raise money to paint the railroad trestle on the east hill. Wear your ugly sweaters and dance to the music of Exit B along with a Beef on Weck dinner. Tickets available at Tackbary's and Laurie's Restaurant.

COMMUNITY AFFAIRS – Marcia Rease addressed concerns about ongoing issues with residents not following general rules like leaving garbage on the terrace and placing leaves in plastic bags instead of brown biodegradable bags. Chief Hoffmeister said there is no local law that sets timeframe for these types of issues. They are working on changing that and Superintendent Evans advised that the DPW has been putting letters in doors of those using plastic bags for leaves reminding them that they have to be in paper bags. She also talked about the MRTA and asked if the board had reached out to the Police, Fire, and Rescue Squad departments, the school, and hospital for their input where the new legislation is concerned.

CANNABIS LEGISLATION – Rick Ryan thanked members of the Wyoming County Cannabis Coalition for their support of the legislation. He understands that there needs to rules, regulations, and zoning but these dispensaries will function similar to liquor/beer stores and bars. Places which our children have and continue to walk by every day. It comes down to parental guidance. The town and village of Arcade opted in and would like to see Warsaw do the same.

CANNABIS LEGISLATION – Valerie Duell asked that the following be placed into the minutes: Since our last meeting, I came up with some more information, questions, and concerns. First, I want to welcome anyone new to the meeting that wants more information on what is the issue at hand. The subject that towns and villages in NY need to decide if they are going to allow recreational cannabis retail dispensaries/cannabis on site consumption. Towns and villages can adopt a local law opting out of allowing retail dispensaries/on site consumption.

This must be done before 12/31/21. If not opted out by this time, they are opted in by default with no chance of changing. If opted out, towns and villages may opt in at a later time when the adoption of local laws placing restrictions on time, place, and manner of retail dispensaries/on site consumption establishments, but they cannot make operation unreasonably impractable. So, my first question is, if we opt out now and get our rules in place as opposed to waiting until after December 31st and then put our rules and restrictions in place, will it seem we are being to restrictive and maybe risk a fine or could it be challenged by an attorney saying those rules and restrictions weren't there before Jan 1, 2022? Again, maybe leaving us open to a lawsuit. So I did some measuring in our downtown district to see where the 500 feet from the school and the 200 feet from the churches would fall. The only open areas would be from Frank St. to the Spectrum building and Tackbary's to DiMatteo's on the west side. I know towns and villages all split across NY state. The ones that are opting out are doing so pending more information on rules and regulations. The ones opting in are doing so because of the licensing factor. They believe there are only a few licenses available. My opinion, the state will put out plenty of licenses to get the tax revenue. For example, a village that has a shop that sells $100,00 of goods would make 3% or $3,000.00 from their sales. The Town of Warsaw has opted out pending more information. If and when they decide to opt in, the tax revenue created by the dispensary that's in the village would have to be split with the town. The default split is 50/50 if there is no agreement. After the state takes out their money for the cannabis program, 40% of remaining goes to state lottery program for grants for school districts, 20% to drug treatment and public education fund, and 405 to community grants reinvestment fund. So, I want to thank the coalition for their ad in the pennysaver that informed the community about the issue at hand. Right now, the question is to opt in or opt out, not really to decide if there will be a dispensary/on site consumption location in the village. I gave thought on the board voting down a public information meeting. While the process may be "nauseating" for some on the board, it is well needed for a topic like this one. As I have said before, I would like to see the village opt out for now until we get our rules and regulations in place according to our zoning rules, and if we can, tweak those rules to include these types of businesses.

COMMUNITY AFFAIRS – Mayor Robinson shared that the Salvation Army bell ringing has started and volunteers are needed for two-hour times slots at Tops and Walmart. Sign ups can be done on the Warsaw Kiwanis Facebook page or Sally Smith said anyone can contact Heather Aldrich or Kevin Carlson. Remember, these monies stay here and help our local residents.

INDUSTRIAL PARK – Received the fully executed Municipal Cooperation Agreement to dissolve the Joint Fund from the Village Attorney.

POLICE DEPARTMENT – Chief Hoffmeister requested a funds placement for funds reimbursement from the NYS Stop DWI Foundation. On November 20th the PD will be participating in the Stuff the Cruiser event hosted by Community Action from 10-2 at Walmart. On December 4th will be the Shop with a Cop at Walmart, and assisting with the parade at Moonlight Magic on December 3rd.

RESOLUTION #177 OF 2021

BUDGET TRANSFERS:

Motion made by Trustee Appleton
Seconded by Trustee Gardner

RESOLVED – That the following budget transfers be hereby approved:

FROM	TO	AMOUNT
A2680(Reimbursement)	A3120.100(Police Payroll)	$543.60

CARRIED

FIRE DEPARTMENT – Virtual turkey raffle raised $775. Chief Ferrin thanked Beau Wolcott of Wolcott Roofing for donating the turkeys. They have acquired a structure from Marquart to perform training.

PUBLIC WORKS PROGRESS REPORT – STREETS - Daily property & grounds maintenance of all village owned properties, including, Commerce Way, Wyoming St vault, Mt. View Ave pump house, Dueschen's Pond storage tank, Central Garage, Bldg. #2, mow/trim gateway signs, collected bagged grass & leaves daily as scheduled, sweeping village streets to keep catch basins free from leaves, checked/cleaned drainage ditches in village/remove debris/gravel/silt as needed, jetted drainage system/ remove root balls from drainage pipe on N. Main to Park Street, installed ADA Detectable Warning Pads on all streets we paved this year., installed new stop sign at Butternut and Allen streets, repaired sanitary sewer manhole on Brooklyn Street, paved around catch basin at fire hall, installed plow and sander in truck #286, serviced compact Ford tractor from WWTP, installed leaf rake on tractor and leaf racks on trucks, and bulk leaf collection week of November 8th – November 12th as scheduled. VILLAGE PARK - Daily grounds maintenance, mowing, trimming, emptying trash cans & check all buildings for issues daily, stock/clean Legion Hall as needed, cleaned ditches and storm drains as needed, repaired toilet in women's room at maintenance bldg., stored benches and picnic tables for the winter, removed bases from softball field, installed AED unit in Legion Hall, installed blinds in Auxiliary Room, and replaced floor tiles in Legion Hall as needed. WATER DISTRIBUTION - Daily distribution checks as required, daily stake outs as requested, daily samples of North Water Dist. as required, finals read as requested, read Industrial meters for billing, blew off/flushed watermain on Dale Road, changed water meter at 3621 State Rt.19 in S. Warsaw (Warranty), repaired watermain break at Brooklyn & Center streets, and assist with bulk leaf collection. WATER TREATMENT PLANT - Daily tests were performed, and results recorded, generator ran successfully, under load, we currently draw water from Creek feed, changed back to creek feed on November 1st, water intake screen is cleaned off as necessary every few days as leaves collect onto intake screed this time of year, Received(1,150) gallons of Pch180 coagulant on November 1st, sampled and decanted front lagoon November 2nd and back lagoon on November 12th, performing routine housekeeping, maintenance, and yard work, re-caulked as necessary flashing that caps vinyl siding on northside of Water Plant and gaps discovered, and walked open drainage ditch behind Grateful Grill toward Dutton Road and cleaned off grate at end of ditch. WASTE WATER TREATMENT PLANT - Rinsing, hosing, draining tanks, checking sludge blanket, reading lift stations/generator, test CO2, PH, DO, Alkalinity and Acidity ratio test, reading digester temperature as needed, draining drip traps, greasing, testing and sampling as

required, clean arms on bio-towers, cleaning electrode on Pista-Grit, WYCO dumped 16,000 gallons, mailed and fax Part 360 to Dickson and Steve Orcutt at Steuben County Landfill, pour 6,000 gallons in bed #5, 10/25 and 10/30 high flows flooding, #2 WW pump stopped running, Royce Electric here getting it going, clean beds #1&2, relight hot water tank, changing clocks and timers, fix heaters and plug in heat tapes, pumping sludge to overflow retention and then to digester due to work on sludge pump stations.

RESOLUTION #178 of 2021

LEGION HALL USE:

Motion made by Trustee Appleton
Seconded by Trustee Gardner

RESOLVED – That the following requested use of the Legion Hall be hereby approved under conditions of Covid-19 rules and regulations:

Amanda Green -11/20/21- Celebration of Life- private w/alcohol
Ethan Grawe - 12/18/21 – Christmas Party – private w/alcohol
Makayla Gardner - 5/6-8/22 – Wedding reception – private
Wayne Bush – 8/28/22 – Wedding Anniversary – private w/alcohol

CARRIED

TREASURER – Proof of collateral for the month of October 2021 was submitted and ordered filed.

MEETINGS:
Fire Committee – Mon 11/29 – 6:00 pm – Fire Hall
Police Committee – Mon 12/20 – 6:45 pm – Fire Hall

RESOLUTION #179 of 2021

CLERK/TREASURER – Joint Fund bank account

Motion made by Trustee Appleton
Seconded by Trustee Wagner

RESOLVED – That the Board authorizes Clerk/Treasurer to disburse funds per the Municipal Cooperation Agreement and close the Joint Fund account.

CARRIED

RESOLUTION #180 of 2021

SIDEWALK: OBSTRUCTION OF SIDEWALK:

Motion made by Trustee Gardner
Seconded by Trustee Appleton

RESOLVED – That request to place sandwich sign on the corner of Frank and N. Main Streets sidewalk for business located at the corner of Frank and N. Main Streets during their regular business hours be hereby approved.

CARRIED

RESOLUTION #181 of 2021

BINGO INSPECTOR:

Motion made by Trustee Gardner
Seconded by Trustee LaWall

RESOLVED – That appointment of Racheal Ruffin as Bingo Inspector be hereby approved effective immediately.

CARRIED

RESOLUTION #182 OF 2021

BUDGET TRANSFERS:

Motion made by Trustee Appleton
Seconded by Trustee Gardner

RESOLVED – That the following budget transfers be hereby approved:

FROM	TO	AMOUNT
A2680(Warsaw Redemption Ctr donation)	A3120.400(Police Cont.)	$1,000.00

CARRIED

RESOLUTION #183 OF 2021

AUDIT AND PAY BILLS:

Motion made by Trustee LaWall
Seconded by Trustee Appleton

RESOLVED – That the bills be allowed as read; that checks in the payment thereof be issued, that Mayor Robinson be and hereby is authorized to sign General Abstract #12 in the amount of $226,858.49, Water Abstract #12 in the amount of $25,075.12, and Sewer Abstract #12 in the amount of $17,859.95.

CARRIED

COMMUNITY AFFAIRS – Sally Smith let the board know that she spoke with Doug Tillotson

and he plans to open Shenanigans on December 1st.

EXECUTIVE SESSION – 8:07 p.m. – Litigation

Adjourn Executive Session at 8:23 p.m.

WORKING SESSION – 8:24 p.m. – Cannabis Legislation

Moved and seconded to adjourn at 8:54 p.m.

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Lisa A. Allen, Clerk