

REGULAR MEETING
August 1, 2022

PRESENT: Mayor Robinson, Trustees Appleton, LaWall, Rajk and Schurr, Clerk Allen, Superintendent Evans, and Chief Hoffmeister.

Others Present: Marcia Rease, Sally Smith, James Ferrin, Dan Walczak, John and Bridget Ryan

Mayor Robinson presided.

Meeting was open with a salute to the flag.

The minutes from previous meeting of July 18, 2022 were approved as submitted by email.

CODE ENFORCEMENT – John Ryan addressed the board again about the property to the south of him. Items being left piled in the yard, loud music, functions going on all of the time. Dan Walczak also addressed the board on this property as it borders his as well. The mayor told them that these are legitimate concerns and that it is a commercial business in the business district. He will contact CEO to move quickly and notify the landlord of the property.

VILLAGE PARK - Received request from Valley Chapel Free Methodist for use of park to hold a Color Run and Fall Festival on October 15th.

VILLAGE OFFICE - Received a quote from Toshiba for office copier lease and cloud faxing.

BUILDING PERMITS/ZONING – Received proposal from Wyoming County Zoning Program.

POLICE DEPARTMENT – Chief Hoffmeister requested a funds placement for STOP DWI Crackdown patrol hours. There was an accident at Summit Ave. and Humphrey Hollow where a car lost its brakes coming down the hill and ran into one of the buildings. Tenants in both upper and lower units were displaced due to substantial damage. Fire department did a fabulous job.

RESOLUTION #120 OF 2022

BUDGET TRANSFERS:

Motion made by Trustee Appleton
Seconded by Trustee Rajk

RESOLVED – That the following budget transfers be hereby approved:

FROM	TO	AMOUNT
A2680	A3120.400(Police Dept payroll)	\$958.20

CARRIED

FIRE DEPARTMENT - Dedication of two new vehicles will be held on August 11th at 7:00 pm at the village park. There will be a double wet down and they will go into service immediately following the dedication.

PUBLIC WORKS PROGRESS REPORT - STREETS - Daily property & grounds maintenance of all village owned properties including, Commerce Way, Wyoming St Vault, Summit Ave Pump House, Duschen's Pond, Water Storage Tank, Central Garage, Bldg. #2 and Liberty Way, empty trash cans on Main St and W. Buffalo Street as needed, collect bagged grass and leaves daily as scheduled, chipped brush as scheduled, trimming trees in terrace, sidewalk repairs on E. Buffalo, Oak, and Grove streets, topsoil and asphalt restoration from sidewalk repairs, made repairs to hoist on truck #288, made repair to hopper on sweeper, serviced chipper and replaced marker lights, continue painting fire hydrants, crosswalks, and stop bars, prepped and paved trenches on N. Maple and Prospect streets, jet sanitary sewer main in front of hospital with large amount of grease noted on sewer main and assisted at water treatment plant cleaning backwash lagoons. VILLAGE PARK - Daily grounds maintenance, emptying trash cans, mowing and trimming, stock/Clean Legion Hall and Picnic pavilion as needed for rental, clean/Stock restrooms daily, placed 30 cu yds of wood chips on playgrounds, painted doors and trim on restrooms at picnic pavilion, installed latch shield on patio doors at Legion Hall, installed new steps on lifeguard chairs, and assisted with chipping brush. WATER DISTRIBUTION - Daily distribution checks as required, daily stake outs as requested, daily samples of North Water Dist. as required, finals read as requested, installed new meter at 2278 Saltvale Road, turn water off at a residence for nonpayment, began required lead/copper water service survey, assisted with tree trimming, and assisted/inspected watermain work at the WWTP. WATER TREATMENT PLANT - Daily tests were performed, and results recorded, generator ran successfully, under load, we currently draw water from creek feed, water was drawn from Reservoir July 17th-19th, 21st-22nd, 24th-26th, and 28th-29th, water intake screen is cleaned off as necessary, perform routine grounds keeping, housekeeping, and maintenance, and daily village pool checks, both backwash lagoons were cleaned out July 20th and slurry was trucked by tanks to the Warsaw Waste water plant for treatment, alarmed in July 20th due to local area power outage in early evening last till 10:15 pm, alarmed in July 24th for high turbidity due to rain/run-off, July 28th heavy rains resulted in power outage at 10:50 am, tornado did touch down in Gainesville along Route 78 area, and Source Water Protection Steering Committee scheduled for August 10th at 9:30 am at the Wyoming County Ag Center where draft document will be reviewed. WASTE WATER TREATMENT PLANT - Wash primary and secondary clarifiers and rotating arms on bio towers, mow lawn, clean vacuum switch on pista grit, drain drip traps, read electric and gas meters, read and service industrial park lift station, service wastewater pumps in basement, rotate gas compressors and blowers weekly, set samplers, wash uv channel weekly, pour sludge beds, remove dried sludge from beds, wash and grease bar screen, service pista grit grease and oil, wash aeration tanks, WYCO dumped 72,000 gallons, UV grating installed, unplug tele valves, pour 8,000 gallons sludge in bed #5, unplug #1 primary leaf box, creating CDX account with EPA, processing water plant lagoon clean out, alarm on 7/21 at 1:14 am for lightning strike shut off VFD's on WW pumps in basement, reset PLC to get pumps to come on and operate correctly, unplug pista grit six times over three days, water plant solids 34 cans of sand and dirt, high water alarm on 7/25 at 1:55 am, turn on 3rd pump and shutdown recirculation valve, install new probe on PH meter, replacing broken chains on leaf box #1 primary, and contact DEC for final net DMR for chief operator change of authority. GENERAL INFORMATION - Received a call from NYSDOT in regards to crosswalks in the village. They have been delayed due to staffing and workload. There is no timeframe but will be taking a look at all crosswalks.

RESOLUTION #121 OF 2022

FIRE DEPARTMENT MEMBERSHIP:

Motion made by Trustee LaWall
Seconded by Trustee Appleton

RESOLVED – That the following membership to the Warsaw Fire Department be hereby approved:

Samuel Lucas – Active EMS

CARRIED

RESOLUTION #122 of 2022

LEGION HALL USE:

Motion made by Trustee Appleton
Seconded by Trustee LaWall

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

Pavilion

CSS Farms – 8/12/22 – Company picnic – private w/alcohol

Kurtis Schenk – 8/21/22 – Birthday party – private

Amanda Rissinger – 8/26/22 – Graduation party – private

Collette Mix – 8/27/22- Picnic – private

Park Use

Valley Chapel Free Methodist – 10/15/22 –Color Run and Fall Festival–public-waive fee

CARRIED

MEETINGS:

Village Board Meeting – Mon 8/22 – 7:30 pm – Fire Hall

Fire Committee – Mon 7/25 – 6:00 pm – Fire Hall

COMPREHENSIVE PLAN – Mayor Robinson reviewed the steps that have been taken to secure a grant to update the plan. With funding secured, Urban Vantage has been appointed to administer and now a committee of community stakeholders will be created to carry out the creation of the new plan. Mike Griffith would make a terrific choice to head the committee and has agreed to be the chairperson so there will be a meeting in the coming days to determine other members of the committee.

RESOLUTION #123 of 2022

BUDGET APPROPRIATIONS:

Motion made by Trustee LaWall

Seconded by Trustee Appleton

RESOLVED – That the following requested budget appropriations be hereby approved:

Water Distribution	Fluoride Colorimeter(F8340.400)	\$649.00
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CARRIED

RESOLUTION #124 of 2022

COMPREHENSIVE PLAN:

Motion made by Trustee Rajk
Seconded by Trustee Appleton

RESOLVED - That the Village of Warsaw board of trustees hereby appoints Mike Griffith as Chairperson for the Comprehensive Plan Committee.

CARRIED

INSURANCE – At NYMIR’s suggestion, the village attorney created an Indemnification Agreement to be signed by any contractor doing work for the village. In the past, the village had only requested insurance documents.

RESOLUTION #125 OF 2022

INSURANCE- INDEMNIFICATION AGREEMENT:

Motion made by Trustee LaWall
Seconded by Trustee Rajk

RESOLVED – That the village require any contractor doing work for the village provide the appropriate insurance documents and sign the following Indemnification Agreement:

INDEMNIFICATION AGREEMENT
VILLAGE CONTRACTOR/SERVICE PROVIDER

THIS INDEMNIFICATION AGREEMENT, _____,

the “Indemnitor”, with an address at _____, hereby agrees

with the VILLAGE OF WARSAW (the “Indemnatee”), with offices at 15 South Main Street,

Warsaw, New York, hereinafter referred to as the “Village”, as follows:

Indemnitor will fully and promptly indemnify, defend, and hold the Village, its officers, agents, and employees harmless from and against any and all claims, suits, or actions of any kind whatsoever, brought under any theory of law or equity, by the Indemnitor, sub-contractors of the Indemnitor, its agents, or any other of its legal representatives, for losses, liabilities, damages, deficiencies, judgements, settlements, interest, awards, penalties, fines, compensation or otherwise including attorney's fees and related costs that may arise during or as a result of the Indemnitor's performance of work as hired by the Village to conduct; and

In the event of any damage or injury sustained upon the Village, or property, facilities, officers, agents and employees of the Village, or of similar damage or injury sustained upon any individual, as a result of negligence or negligent work, whether complete or incomplete, performed by the Indemnitor, the Indemnitor will fully and promptly accept liability associated with said damage or injury. This waiver of liability described in this specific paragraph, and excluding other sections of this agreement, shall remain in effect for the duration of the Indemnitor's performance of work for the Village, and if the Village and Indemnitor agree to so choose, may also remain in effect after the completion of said work, and shall expire directly after the duration of time immediately following the completion of work as written hereinafter:
_____ ; and

Indemnitor carries proper liability insurance and workman's compensation insurance policies for the performance of said work, has provided ample proof of said policies to the Village, including, but not limited to providing relevant detailing of policies as follows:

Liability Insurance:

Carrier: _____
Policy No. _____
Expiration: _____
Amount: _____

Workman's Compensation:

Carrier: _____
Policy No. _____
Expiration: _____
Amount: _____

Indemnitor further agrees to indemnify and hold the Village harmless from any financial responsibility relating to the use of said insurance policies; and

This agreement shall be governed for all purposes by New York State Law, without regard to any conflict of law principles. This agreement supersedes any and all previous oral or written promises or other agreements.

IN WITNESS WHEREOF, Indemnitor has signed this Indemnification Agreement as of the ____ day of _____, 20____.

[Name of Contractor/Service Provider]

By: _____

Title: _____

CARRIED

POLICE DEPARTMENT PERSONNEL – Chief Hoffmeister presented a draft review of a potential contract with Wyoming Central School to provide them with a School Resource Officer which is employed by the Village of Warsaw. There was some discussion about different areas of the contract and was tabled until the next meeting.

RESOLUTION #126 OF 2022

VILLAGE EMPLOYEES: Justice Errington ROA:

Motion made by Trustee Appleton

Seconded by Trustee Rajk

RESOLVED - That the standard work day for Appointed Official Justice Ronald Errington is hereby established as eight (8) hours and the results of Record of Activities days of 4.30 per month are hereby approved.

CARRIED

RESOLUTION #127 OF 2022

BUDGET APPROPRIATION:

Motion made by Trustee Appleton

Seconded by Trustee Rajk

RESOLVED – That upon recommendation from Clerk Allen the buyout of the current copier lease and new 63-month copier lease with cloud faxing services with Toshiba for the Warsaw Village Office be hereby approved.

CARRIED

RESOLUTION #128 OF 2022

BUDGET TRANSFERS:

Motion made by Trustee LaWall
Seconded by Trustee Schurr

RESOLVED – That the following budget transfers be hereby approved:

FROM	TO	AMOUNT
A8745.100(Flood Control pyrl)	A8745.400(Flood Control cont.)	\$2,338.00

CARRIED

JOINT PLANNING BOARD AND ZONING BOARD OF APPEALS – There was discussion to consider separating from the current Intermunicipal Agreements with the Town of Warsaw.

RESOLUTION #129 OF 2022

JOINT PLANNING BOARD AND ZONING BOARD OF APPEALS:

Motion made by Trustee Appleton
Seconded by Trustee Schurr

RESOLVED – That the village attorney send a letter to the Town of Warsaw advising of the village’s intent to separate from both the Joint Planning Board and Zoning Board of Appeals Intermunicipal Agreements effective January 1, 2023 be hereby approved.

CARRIED

GRANTS – Trustee LaWall advised that there was a Downtown Revitalization Grant available and the deadline for letter of intent is due by August 10, 2022.

COMPREHENSIVE PLAN – Mayor Robinson advised that he had received an email late this afternoon from Rich Rogers of Urban Vantage requesting a meeting with the village attorney prior to the next meeting to kickstart the process.

COMMUNITY AFFAIRS – Mayor Robinson expressed his gratitude to Sheriff Rudolph who retired on July 31, 2022. He has done a fantastic job and shown great leadership over the last nine years as Sheriff. He retires with 25 years of total service and the mayor and board wish him the best of luck in his retirement.

RESOLUTION #130 OF 2022

AUDIT AND PAY BILLS:

Motion made by Trustee Schurr
Seconded by Trustee LaWall

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 #5 in the amount of \$48,160.41, Water Abstract #5 in the amount of \$3,689.44, and Sewer Abstract #5 in the amount of \$23,926.54.

CARRIED

Moved and seconded to adjourn at 8:13 p.m.

Lisa A. Allen, Clerk