



## REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF WATKINS GLEN HELD TUESDAY, JULY 20, 2021

### PLEDGE OF ALLEGIANCE

The public session of the meeting was called to order at 6:00 pm by Mayor Luke Leszyk. Present were Mayor Luke Leszyk, Deputy Mayor Louie Perazzini, Trustee Nan Woodworth, Village Clerk Lonnie Childs and Treasurer Rhonda Slater. Also, present were Parks and Event Center Manager Craig Bond, Electric Supervisor Minard LaFever and Street Supervisor Kenny Barber. Absent were Trustee Laurie DeNardo, Trustee Bob Carson, Superintendent Terry Wilcox. There were two other persons in attendance.

### PUBLIC HEARING

#### Proposed Local Law - Short-Term Rental Moratorium Extension II

The public hearing on the proposed local law to extend the short-term rental moratorium was opened at 6:00 pm with a motion by Deputy Mayor Louie Perazzini and a second by Trustee Nan Woodworth. The Board then voted on the motion and all were in favor. Motion Carried.

Mayor Luke Leszyk explained that it would be a three-month extension of the moratorium in order to provide the Zoning Committee more time to finish their proposed updated Zoning Law.

### PUBLIC BE HEARD

There were no comments from the public.

### APPROVAL OF MINUTES

#### Minutes for Regular Meeting July 6, 2021

Trustee Nan Woodworth made the motion to approve the minutes for the Regular Board of Trustees meeting held on July 6, 2021. Deputy Mayor Louie Perazzini seconded the motion. The Board then voted on the motion and all were in favor. Motion Carried.

### DEPARTMENT REPORTS

Trustee Nan Woodworth made the motion to approve the department heads reports. Deputy Mayor Louie Perazzini seconded the motion. The Board then voted on the motion and all were in favor. Motion Carried.

### VOTING ITEMS

#### MEUA Annual Conference Delegate Resolution

Deputy Mayor Louie Perazzini made the motion to approve the following MEUA delegate resolution. Trustee Nan Woodworth seconded the motion. The Board then voted on the motion and all were in favor. Motion Carried.

WHEREAS, The Village of Watkins Glen is a municipal member of the Municipal Electric Utilities Association of New York State; and

WHEREAS, The Annual Conference of the Municipal Electric Utilities Association of New York State has been called on August 31, 2021 – September 3, 2021, to be held at Chautauqua Harbor Hotel, Celeron, NY and,

WHEREAS, in accordance with the bylaws of the Municipal Electric Utilities Association of New York State, each municipal member may cast one vote on each transaction properly brought

before this meeting,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Watkins Glen hereby designates Thomas Ballard as the accredited delegate of the Village of Watkins Glen, New York.

#### [Water & Sewer Capital Recovery Fees Resolution](#)

Deputy Mayor Louie Perazzini made the motion to approve the following resolution. Trustee Nan Woodworth seconded the motion. The Board then voted on the motion and all were in favor. Motion Carried.

WHEREAS, the Village of Watkins Glen has adopted Local Law 1 of 2021 Water Use Capital Recovery and Local Law 2 of 2021 Sewer Use Capital Recovery to allow for the addition of collection charges for capital improvements in an equitable fashion; and

WHEREAS, Local Law 1 of 2021 Water Use Capital Recovery and Local Law 2 of 2021 Sewer Use Capital Recovery allow the collection charges to be set by resolution of the Board of Trustees;

NOW, THEREFORE, BE IT RESOLVED, that the Village of Watkins Glen Board of Trustees does hereby set the water debt capital recovery fee at a flat \$2.00 a month for all water connections within the water system and the sewer debt capital recovery fee at a flat \$20.00 a month for all sewer connections within the sewer system for the recovery of the costs of capital improvements.

#### [JCAP Grant Application Resolution](#)

Trustee Nan Woodworth made the motion to approve the following resolution for the submittal of a JCAP grant application for court equipment. Deputy Mayor Louie Perazzini seconded the motion. The Board then voted on the motion and all were in favor. Motion Carried.

WHEREAS, the State of New York Unified Court System is soliciting applications from local governments under the Justice Court Assistance Program to assist local Justice Departments with needed equipment, automation, furniture, supplies and training.

WHEREAS, the funding available under the State of New York Unified Court System would facilitate local efforts in upgrading the Villages Justice Department.

THEREFORE, BE IT RESOLVED, the Board of the Village of Watkins Glen authorizes the Watkins Glen Village Court to apply for the JCAP grant in the 2021-2022 grant cycle up to \$30,000.

#### [Special Event Application – Italian-American Festival](#)

The Italian-American event application for August 13 & 14 was tabled to the next Board meeting due to a lack of quorum for the vote. Deputy Mayor Louie Perazzini will have to abstain as he is the applicant.

#### [Special Event Application – East Coast Watercross](#)

Trustee Nan Woodworth made the motion to approve the East Coast Watercross Event for PWC Racing at Lakeside Park on August 21 & 22, 2021 from 7am to 7pm. Deputy Mayor Louie Perazzini seconded the motion. The Board then voted on the motion and all were in favor. Motion Carried.

#### [Special Event Application – Grand Prix Festival](#)

Deputy Mayor Louie Perazzini made the motion to approve the Grand Prix Festival Event to be held at LaFayette Park and on Franklin Street, from Second Street to Tenth Street, on September 10, 2021 for vintage car displays,

parades of cars and vendors. Trustee Nan Woodworth seconded the motion. The Board then voted on the motion and all were in favor. Motion Carried.

#### [Use of Fire Department Building Application – Bridal Shower](#)

Deputy Mayor Louie Perazzini made the motion to approve the use of the firehouse by Jud Smith for a bridal shower event on July 31, 2021 from noon to 4pm. Trustee Nan Woodworth seconded the motion. The Board then voted on the motion and all were in favor. Motion Carried.

#### [Police Department Copier Purchase & Maintenance Agreement](#)

Trustee Nan Woodworth made the motion to approve the Police Department to enter into an agreement with Higher Information Group for the purchase of a new printer/copier with an equipment cost of \$799.00 and a quarterly fee of \$0.25/copy. Deputy Mayor Louie Perazzini seconded the motion. The Board then voted on the motion and all were in favor. Motion Carried.

#### [Sewer Department Ambulance/Camara Truck Surplus](#)

Deputy Mayor Louie Perazzini made the motion to surplus the sewer department 1983 Ford van (aka ambulance/Camara truck). Trustee Nan Woodworth seconded the motion. The Board then voted on the motion and all were in favor. Motion Carried.

#### [Local Waterfront Revitalization Program Consolidated Funding Application Resolution](#)

Trustee Nan Woodworth made the motion to approve the following resolution for the submittal of the 2021 CFA Local Waterfront Revitalization Program. Deputy Mayor Louie Perazzini seconded the motion. The Board then voted on the motion and all were in favor. Motion Carried.

WHEREAS, the Watkins Glen Village Board, Schuyler County, supports the submission of a 2021 Consolidated Funding Application (CFA) on behalf of the Village, through the Local Waterfront Revitalization Program (LWRP) under the category: Implementing a Local Waterfront Revitalization Program; and

WHEREAS, the LWRP provides grants to communities located along New York's coasts or designated inland waterways to advance the preparation of strategies for community and waterfront revitalization through proper planning; and

WHEREAS, if funding is awarded the Village of Watkins Glen would like the opportunity to construct projects necessary to implement our Local Waterfront Revitalization Program; and

NOW THEREFORE BE IT RESOLVED, it is anticipated that the Watkins Glen Village Board, on behalf of the Village, will complete the necessary actions to authorize expenditures for the proposed project, accepting that they shall provide at least 25% match of the total of any grant funding awarded as a local match in the form of in-kind services or cash contributions hereby appropriated and obligated from the General Fund of the Village of Watkins Glen; and

BE IT FURTHER RESOLVED, Mayor Luke Leszyk is authorized to execute necessary documents relative to, and as required for, the LWRP application; and

BE IT FINALLY RESOLVED, that the Watkins Glen Village Board, recognizes and fully supports the submission of a Consolidated Funding Application for a LWRP grant on behalf of the Village, for the implementation the LWRP.

#### [CONFERENCE REQUESTS](#)

##### [MEUA 91<sup>st</sup> Annual Conference](#)

Deputy Mayor Louie Perazzini made the motion to approve Senior Lineman Thomas Ballard and Electric Supervisor

Minard LaFever to attend the MEUA annual conference being held at Chautauqua Harbor Hotel in Celeron, NY from August 31 – September 3, 2021 at a cost of \$1,638.00. Trustee Nan Woodworth seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

## AUDIT

### General Audit

Trustee Nan Woodworth made the motion to approve the general audit dated July 19, 2021, with the add-on to the United States Treasury for PCORI federal excise taxes in the following amounts:

General	\$169,438.45	Sewer	\$126,120.44
Electric	\$329,975.51	Water	\$37,296.35
Joint Activity (CVWRF)	\$49,002.78	DRI Projects	\$166,753.84
LWRP #1	\$16,404.67	LWRP #2	\$11,496.78
Parks Grant	\$2,316.10		

Deputy Mayor Louie Perazzini seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

### Online Audit

Trustee Nan Woodworth made the motion to approve the online audit to pay the June fines and fees payment in the amount of \$3,362.00. Deputy Mayor Louie Perazzini seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

## BOARD CONCERNS

### Italian-American Festival Parking Fees

The Board discussed the collection of parking fees during the Italian-American Festival. This is the only festival held at Lakeside Park where the parking attendants are provided by the company hosting the event and all proceeds are kept by the event coordinators. For all other events held at Lakeside Park the Village provides the ticket collector and retains the proceeds. No changes will be made to this arrangement for the 2021 Festival Event however, it may be something to look at moving forward.

### Parks Department Staffing

The Parks Department is reviewing the current staffing options through civil service and is looking to incorporate new full-time positions and new titles. The Village Board was in favor of moving forward with the suggestions.

### Second Street

Trustee Nan Woodworth brought up the proposed change to the traffic law to make Second Street a one-way street for the two-hundred block where Jefferson Village and Glen Lake Apartments are located. She offered to assist the Police Department in making the necessary changes to the law to reflect this addition. Village Clerk Lonnie Childs stated that there are several changes that need to be made to the traffic law and they should all be addressed at the same time. The Mayor and Deputy Mayor gave their approval for Trustee Nan Woodworth to help make the necessary revisions. Trustee Nan Woodworth then asked about the possibility of using seasonal “speed bumps” to help slow the traffic on Third Street. The Village will need to look into the possibility. At this time, that street is a 30-mph zone. It may be that the Village would have to consider changing the traffic law to create a speed zone, similar to the school speed zone, that would reduce the traffic to 15-mph in that area.

## PUBLIC HEARING – Revisited

### Proposed Local Law - Short-Term Rental Moratorium Extension II

With no comments from the public, the public hearing on the short-term rental moratorium was closed at 6:42 pm with a motion by Trustee Nan Woodworth and a second by Deputy Mayor Louie Perazzini. The Board then voted on the motion and all were in favor. Motion Carried.

Trustee Nan Woodworth made the motion to approve the following local law. Deputy Mayor Louie Perazzini seconded the motion. The Board then voted on the motion to approve and all were in favor. Motion Carried.

Section 1. This Local Law is enacted pursuant to the Village Law of the State of New York and the Municipal Home Rule Law of the State of New York.

Section 2. The purpose of this Local Law is to amend Local Law No. 4 of 2016, as amended, to extend the temporary moratorium on the growth of short-term rentals (STR's) per Local Law No. 5 of 2019 and per Local Law No. 5 of 2020 in the Village pending the development and adoption of one or more local laws designed to regulate and govern the growth of short-term rentals in the Village. This Local Law is a land use regulation.

Section 3. This Local Law shall supersede and suspend those provisions of the Zoning Ordinance of the Village of Watkins Glen and New York State law which require the Planning Board and/or the Village Code Enforcement officer to accept, process and approve certain land use applications within certain statutory time periods.

Section 4. The Village Board has made the following legislative findings:

- A. It is necessary to extend the moratorium for a reasonable timeframe to permit the Village adequate time to draft suitable land use regulations governing the growth of short-term rentals, which regulations will benefit the Village as a whole.
- B. There is a valid public purpose in the extension of such a moratorium because if the Village allows unrestricted growth of short-term rentals, the goals of the Village Comprehensive Plan will be undermined and the general nature of the community may be dramatically changed.
- C. Because of the potential of unrestricted growth of short-term rentals to change the general nature of the community, the advantages to the community at large in extending the moratorium greatly outweigh any potential hardships to landowners.
- D. An additional period of three (3) months from the effective date of this Local Law will provide the Village a reasonable amount of time to develop and adopt local laws designed to regulate and govern the growth of short-term rentals in the Village, but such time is no longer than absolutely necessary for the municipality to develop and adopt such local laws.

Section 5. Local Law No. 5 of 2020, Section 9.34.7 is hereby amended as follows:

9.34.7 Extension of Temporary Moratorium on Issuance of Short-Term Rental Approvals.

- A. Notwithstanding any other provision of the Zoning Code to the contrary, beginning on the effective date of Local Law No. 4 of 2021, and continuing until the earlier of: (1) a date which is three (3) months from the effective date of Local Law No. 4 of 2021; or (2) the

effective date of a Village Board resolution stating that the need for the moratorium contained in this Section 9.34.7 no longer exists, no application for a permit, short-term rental permit, zoning permit, special permit, zoning variance, building permit, operating permit, site plan approval, subdivision approval, certificate of occupancy, certificate of compliance, temporary certificate, or other Village-level approval of any nature shall be accepted, processed, entertained, approved, approved conditionally, or issued by any board, employee, official or agent of the Village of Watkins Glen, for the construction, establishment, or use of operation of any land, body of water, building, or other structure located within the Village of Watkins Glen for a short-term rental.

- B. This moratorium and prohibition shall apply to all real property within the Village of Watkins Glen, and all land use applications for the siting or creation of short-term rental units within the Village of Watkins Glen.
- C. Under no circumstances shall the failure of the Village Board of Watkins Glen, the Zoning Board of Appeals of the Village of Watkins Glen, the Planning Board of the Village of Watkins Glen, or the Code Enforcement Officer for the Village of Watkins Glen to take any action upon any application for a permit, zoning permit, special permit, zoning variance, building permit, operating permit, site plan approval, subdivision approval, certificate, or other Village-level approval referred to in Section 9.34.7 above constitute an approval of any application therefor.
- D. Notwithstanding the above, nothing contained in this Section 9.34.7 shall prevent the Village or any of its boards, agencies or representatives from modifying any approval referred to in Section 9.34.7(A) if such valid approval was issued prior to the effective date of this Section 9.34.7, except that no such modification of an existing approval shall result in a more intensive use of the building, structure or premises to which such approval relates.
- E. Nothing contained in this Section 9.34.7 shall be deemed to prevent the reconstruction of a building, structure or premises used as a short-term rental in the event of casualty or act of God, provided that, as of the effective date of this Section 9.34.7, such building, structure or premises had been legally used for a short-term rental, and further provided that any reconstruction shall be substantially similar in physical dimension, area coverage and location to the building, structure or premises which existed prior to said reconstruction.
- F. During the stated term of this legislation, unless the stated term hereof shall be modified or abridged by the Village Board, this moratorium shall supersede any contradictory local law, ordinance, regulation or Zoning Code provision.
- G. If a landowner desires to apply for relief from the restrictions imposed by this Section 9.34.7, such landowner shall make such application under Article 11 of the Zoning Code.

Section 6. The invalidity of any section, clause, sentence, or provision of this Local Law shall not affect the validity of any other part of this Local Law that can be given effect without such invalid part or parts;

Section 7. This Local Law shall take effect immediately upon filing with the New York Secretary of State.

**ADJOURN**

With no further business to come before the Board, Deputy Mayor Louie Perazzini made the motion to adjourn at 6:43 pm. Trustee Nan Woodworth seconded the motion. The Board then voted on the motion and all were in favor. Motion Carried.

Meeting Adjourned.

Respectively Submitted,

Rhonda E Slater  
Treasurer