The Regular Meeting of the Nunda Village Board of Trustees was held on April 17, 2017, at the Nunda Government Center Building, at 7:00PM with the following present:

Mayor: Robert Cox Deputy Mayor: Fritz Amrhein Trustees: Darren Snyder Jack Morgan Mell Allen

Water and Streets Superintendent: Troy Bennett Code Enforcement/Zoning Officer: Mark Mullikin Clerk-Treasurer: LeRoy Wood

Citizens: Ron Adam

Town of Nunda Councilperson: Michael Hillier arrived at 8:19 PM

Mayor Cox - called the meeting to order at 7:00 PM

Roll Call: All present

Pledge of Allegiance - led by Deputy Mayor Amrhein

Village Attorney Opinion – Residency Requirement

The Village Board of Trustees reviewed Village Law of New York State, Article Three, residency requirement for certain public officer positions within a municipality. In contacting the Village Attorney, the Board requested research into this subject matter. Attorney Vogel stated the Board would be on safe ground as to adopting a resolution on residency requirements.

Resolution no. 2017-015

NOW THEREFORE, BE IT RESOLVED, per Village Law of New York State, Article Three, section 3-300, notwithstanding, any provisions of this chapter or any general law, local law, ordinance or special act by the Village of Nunda, may and does provide that the village deputy clerk-treasurer and clerk-treasurer of such village need not be a resident of said village, but must be a resident of Livingston County, New York; effective, March 1, 2015.

The motion was made by Trustee Morgan, seconded by Deputy Mayor Amrhein. Carried 5-0.

Village Annual business as presented by Mayor Cox;

APPOINTMENTS as presented by Mayor Cox:

Deputy Mayor	Fritz Amrhein
Clerk-Treasurer / Clerk of the Board	LeRoy J. Wood
Deputy Clerk-Treasurer	Anne Rangere
Registrar	LeRoy J. Wood
Records Management Officer	LeRoy J. Wood
Assessor	Brian Knapp (Town)
Code Enforcement / Zoning Officer	Mark Mullikin
Deputy Code Enforcement / Zoning Officer	Vacant
Court Clerk	Sheila Duffy
Historian	Valerie Griffing

LIASONS:

Administrative (insurance, planning, office,	Mayor Cox / Trustee Morgan
phone, computer, data)	
Water	Deputy Mayor Amrhein / Trustee Snyder
Other Utilities (sewer, street, trees, cable)	Trustee Morgan / Trustee Allen

Youth / Parks Budget Preparation Code Enforcement Bank Reconciliation POLICE COMMISSIONERS:	Mayor Cox / Trustee Snyder Mayor Cox / Village Board Mayor Cox / Deputy Mayor Amrhein Trustee Allen
Public Safety / Police	Deputy Mayor Amrhein / Trustee Snyder
Financial Consultant:	Bernard P. Donegan
Financial Depository:	Five Star Bank Secondary, M&T Bank Secondary, JP Morgan Chase
Official Newspaper:	Hornell Evening Tribune
<u>Legal Consultant</u> :	John Vogel Secondary, Richardson Pullen, P.C. Secondary, Peter K. Skivington
Village Engineer:	Chatfield Engineers, P.C.
<u>Clerk's Office Hours</u> :	M-F 8:30 A.M 12:15 P.M 12:45 P.M 4:00 P.M.

Informational Purposes - Village / Town Planning Board

Meet 1st Tuesday of each month, as needed Village Members:

Joe Lindstrom Don Wilcox Michele Seifried

Town Members: Chairperson – Alex Pierce | Brenda Weaver | Joan Schumaker | Timothy Cassidy Sr.

Informational Purposes - Village / Town Zoning Board of Appeals

Public Hearings, as needed

Village Members: Scott Amidon Jeff Essler Wayne Dalrymple

Town Members: | Chairperson – Robert Piper Daniel Strobel

Village of Nunda Revitalization Review Board – Local Law #1 – 2009

Nunda Chamber: Margaret Grosse Gary Paine Resident: Resident: Mayor: Trustee: Alternate Trustee: Vacant Secretary:

Cathy Kemp Robert P. Cox Darren Snyder LeRoy J. Wood

Resolution no. 2017-016

BE IT RESOLVED that the Nunda Village Board of Trustees approve the appointments as listed by Mayor Cox.

The motion was made by Mayor Cox, seconded by Trustee Snyder. Carried 5-0.

Mayor Cox suggested that the remainder of the Organizational Meeting items be adopted as a Consent Agenda. Mayor Cox asked if any member of the Board had any questions. With **none**, the Mayor declared a Consent Agenda for the remaining Organizational Meeting items.

BE IT RESOLVED, the Village Board of Trustees approve the following Rules of Procedure for the Village of Nunda.

WHEREAS, Village Law 4-412 provides that the Board of Trustees may determine its own rules of procedure;

NOW, THEREFORE BE IT RESOLVED, the following rules of procedure are adopted pursuant to Village Law 4-412:

1. REGULAR MEETINGS: The Board of Trustees Regular Meeting is held on the second Monday of each month, commencing at 7:00 PM in the Nunda Government Center Board Room.

2. SPECIAL MEETINGS: Special Meetings of the Board of Trustees, or all other Board Meetings other than Regular Meetings. A Special Meeting may be called by the Mayor or any Trustee upon notice to the entire Board. Notice must be given to each member of the Board of Trustees by telephone, in person or email at least 24 hours in advance on meeting unless an emergency requires the meeting to be held on less than 24-hour notice.

3. QUORUM: A quorum of the Board must be physically present to conduct business. A quorum of the five-member Board of Trustees is three, regardless of any Board vacancies.

4. EXECUTIVE SESSIONS: Executive sessions must be held in accordance with New York State Public Officers Law 105. All executive sessions must be entered into by a motion made from a properly noticed and conducted open meeting.

5. AGENDAS: The agenda for each Board of Trustees meeting is to be prepared by the Village Clerk-Treasurer at the direction of the Mayor. The Mayor or any Trustee may have an item placed on the agenda. When possible, items for the agenda must be provided to the Village Clerk-Treasurer by the Friday before the Monday evening meeting, by 12:00 PM. The final agenda must be prepared by noon on the day of the meeting.

6. VOTING: Pursuant to the New York State Village Law, each member of the Board of Trustees has one vote. The Mayor may vote on any matter but must vote in case of tie. A majority of the totally authorized voting power is necessary to pass a matter unless otherwise specified by State Law. A vote upon any question must be taken by ayes and noes, and the names of the members present and their votes must be entered in the minutes.

7. GENERAL RULES OF PROCEDURE:

a. The Mayor presides at the meeting. In the Mayor's absence, the Deputy Mayor presides at the meetings of the Board. The presiding officer may debate, move and take any action that may be taken by other members of the Board. Board members are not required to rise, but must be recognized by the presiding officer before making motions or speaking.

b. Every motion must be seconded before being put to a vote; all motions must be recorded in their entirety in the Board's meeting minutes.

c. Once recognized, a member may not be interrupted when speaking unless it is to call him/her to order. If a member is called to order, they must stop speaking until question of order is determined, and, it in order, they must be permitted to proceed. There is no limit to the number of times a member may speak on a question. Motions to close or limit debate may be entertained and require a two-thirds vote to pass.

8. GUIDELINES FOR PUBLIC COMMENT:

a. The public may speak only during the Visitor Forum period at any meeting or at such other time as a majority of Board allows.

b. Speakers must be recognized by the presiding officer and should introduce themselves prior to engaging in direct dialog on any topic with the Board.

c. Board members may, with the permission of the Mayor, interrupt a speaker during their remarks, but only for the purpose of clarification or information.

d. All remarks must be addressed to the Board as a body and not to any member thereof. e. Speakers must observe the commonly accepted rules of courtesy, decorum, dignity and good taste.

f. The public will be held to a three-minute time limit to address the Board on any matter they so choose to discuss. Additional time will be granted only by a majority vote of the Board.

9. MINUTES:

a. The Village Clerk-Treasurer is responsible for taking minutes of the Board. Minutes must consist of a record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon.

b. Minutes must also include the following:

- Name of the Board;
- Date, place and time of meeting;
- Notation of the presence or absence of Board members and time and arrival or departure if different from time of call to order or adjournment;
- Name and title other Village Officials and employees present and the approximate number of attendees;
- Record of reports made by Board or other Village personnel;
- Time of adjournment; signature of the Village Clerk-Treasurer or person who took meeting minutes.

c. The Village Clerk-Treasurer is responsible for creating a draft meeting minutes within the prescribed timeframe as provided by New York State Open Meetings Law. The Board of Trustees review and approves meeting minutes at the next regularly scheduled Board meeting. Amendments to the Village Clerk-Treasurer's meeting minutes require approval of the Board of Trustee by a majority vote.

10. ORDER OF BUSINESS OF THE BOARD OF TRUSTEES:

- a. Call to order;
- b. Roll call;
- c. Visitor's Forum;
- d. Review / approval of meeting minutes from previous meeting(s);
- e. Review / approval of Abstract;
- f. Reports from Departments / Committees
- g. New business;
- h. Old business;
- i. Other business;
- j. Communications / Informational Items
- k. Adjournment

11. GUIDELINES FOR USE OF RECORDING EQUIPMENT: All members of the public and all public officials are allowed to be taped or video recorded at public meetings. Recording is not allowed during executive sessions. Recording should be done in a manner which does not interfere with the meeting. The Mayor may determine whether the recording is being done in an intrusive manner taking into consideration, but not limited to, brightness of lights, distance from the deliberations of the Village Board, size of equipment and the ability of the public to participate in the meeting. If the recording

is determined to be intrusive and interferes with the meeting, the Mayor may direct that the recording be stopped or undertaken in a different manner or location.

12. ADJOURNMENT: All meetings may be adjourned by motion.

13. AMENDMENTS TO THE RULES OF PROCEDURE: The foregoing procedures may be amended from time to time by a majority vote of the Board. These procedures do not require annual review unless directed by the Mayor.

Organizational Meeting

BE IT RESOLVED that the next Village of Nunda Organizational Meeting be held April 9, 2018 at 7:00 P.M.

Procurement Policy

The Village Board reviewed the Procurement Policy and discussed when the village credit card can/should be used and its requirements for use.

Resolution no. 2017-017

BE IT RESOLVED that the existing Procurement Policy has been reviewed with the following changes to said policy, to be added;

Section. L. Village Credit Card

Village credit cards will be issued through the Village of Nunda's authorized banking institution and authorized vendors (Walmart, Tractor Supply, etc.) only.

Guidelines on use of the Village credit card(s) will be in accordance with this Procurement Policy. Banking institution village credit cards will be issued to the Mayor and Chief Fiscal Officer only and will be utilized as a last resort when payment by check is not accepted by a vendor. Village credit cards, provided by a specific vendor, may be issued to the Water and Streets Superintendent or his/her designee on occasion - as needed. The Water and Street Superintendent or designee will adhere to strict safety and security of village credit cards and follow this procurement policy when making purchases. When not in use, all Village credit cards will be on file with the village chief fiscal officer.

Online purchases, will be authorized in accordance with this Procurement Policy and guidelines. Strict assurances of safety and security of the village credit card must be met with each purchase whether online, in-person, or over the telephone.

In final, all purchases will follow strict adherence to this Procurement Policy and will be a part of the abstract process of review by the Village of Nunda Board of Trustees - monthly.

The motion was made by Deputy Mayor Amrhein, seconded by Trustee Allen. Carried 5-0.

Audit of Claims

WHEREAS the Board of Trustees has determined to authorize payment in advance of audit claims for public utility service, postage, freight and express charges; and Health Insurance and,

WHEREAS all claims shall be presented at the next regular meeting for audit; and

WHEREAS the claimant and officer incurring or approving the claim jointly and severally liable for any amount disallowed by the Board of Trustees,

NOW THEREFORE BE IT RESOLVED:

Section 1. That the Board of Trustees authorizes payment in advance of audit of claims for public utility services, postage, freight and express charges and health insurance. All claims shall be presented at the next regular meeting for audit and the claimant and officer incurring or approving

the claims shall be jointly and severally liable for any amount disallowed by the Board of Trustees.

Section 2. That this resolution shall take effect immediately.

Attendance at Schools and Conferences

WHEREAS attendance by certain municipal officials and employees at one or more of workshops, seminars or schools benefits the municipality;

NOW THEREFORE BE IT RESOLVED:

Section 1. That attendance at any workshops, seminars and schooling is decided on an individual basis throughout the year.

Section 2. That this resolution is effective immediately.

Clerk and Permit Fees

BE IT RESOLVED that the Clerk's fees and Permit fees be accepted as they now exist.

Depositories

WHEREAS the Board of Trustees has determined that Village Law requires the designation of banks or trust companies for the deposit of all village monies;

NOW THEREFORE BE IT RESOLVED:

Section 1. That the Board of Trustees designates the following institutions as depositories of all monies received by the village treasurer, clerk and receiver of taxes. Names of Institutions: Five Star Bank, M&T Bank, JP Morgan Chase

Section 2. That this resolution is effective immediately."

Emergency Management Plans

BE IT RESOLVED that the Nunda Village Board of Trustees adopt the Livingston County Comprehensive Emergency Management Plan, the Village of Nunda Water Emergency Response Plan and the Village of Nunda Wastewater Plant Emergency Response Plan as updated, unless NYS or Livingston County change certain criteria in its policies.

Standard Work Day

Elected and appointed officials have been required to record and submit a record of work-related activities (ROA) to their employers if they are members of the New York State and Local Retirement System (NYSLRS); and do not use a time-keeping system that shows hours worked. Since retirement benefits are based in part on service credit, Standard Work Day is used for correctly reporting the number of days these members work during a reporting period to help ensure the benefits they receive are accurate.

"WHEREAS, the Nunda Village Board of Trustees approves the 2017 Standard Work Day Resolution to be signed and sealed by the Village Clerk-Treasurer and thereafter within fortyfive days submit such resolution to New York State and Local Retirement System. **BE IT FURTHUR RESOLVED**, that the Nunda Village Board of Trustees approves the Village Clerk-Treasurer to post a sealed copy of the 2017 Standard Work Day Resolution on Nunda Government Center official bulletin/sign board for a continued of at least thirty (30) days."

Resolution no. 2017-018

BE IT RESOLVED that the Nunda Village Board of Trustees approve the Consent Agenda as presented.

The motion was made by Trustee Morgan, seconded by Deputy Mayor Amrhein. Carried 5-0.

Visitor's Forum - None

Approval of Minutes

A. March 13, 2017

MOTION was made by Trustee Allen to approve the minutes as presented and reviewed, seconded by

Deputy Mayor Amrhein. Carried 5-0.

B. March 27, 2017

MOTION was made by Deputy Mayor Amrhein to approve the minutes as presented and reviewed, seconded by Trustee Allen. Carried 5-0.

Approval of Invoices

A. Abstract No. 007

The Nunda Village Board of Trustees has reviewed and approve invoices for payment on Abstract no. 007 as follows:

GENERAL -	\$ 15,725.00
WATER -	\$ 44,373.80
SEWER -	\$ 10,965.88
YOUTH-	<u>\$ 105.00</u>
TOTAL –	\$ 71,169.68

The motion was made by Trustee Morgan, seconded by Deputy Mayor Amrhein. Carried 5-0.

Reports

A. Police

- 1. Monthly Report March 2017
- 2. Town of Nunda Budget Report March 2017
- 3. Police Abstract #4
- 4. Payroll Reports

Placement of an electronic speed sign within the Village was discussed for speed control and safety purposes with action occurring in the near future.

B. Code Enforcement/Zoning

1. Monthly Report - March 2017

C. Sewer

- D. Department of Public Works
 - 1. March 2017 Calendar
 - 2. Spring Clean Up Schedule posted to Village Website
 - 3. Village Park trash, sign, light

Water and Streets Superintendent Bennett inquired about the items listed above in relation to the Village Park. The Board approved the placement of one trash can in the park. A review of the Park Rules and Regulations will need to take place, with final Board approval having with a sign created and placed within the Park at a later date. Research into a replacement light will take place as Mayor Cox stated he would move forward on this project.

The Board agreed that with any changes to the Village Park that the Trinity Church of Nunda would be informed via correspondence once a final determination of change was made.

E. Water

Work is now being done in completing the 2016 Annual Water Quality Review - which needs to be disseminated to the general public by May 31, 2017.

F. Justice

Monthly Reports – March 2017
Treasurer's Reports

Monthly Reports – March 2017
CHIPS & Local PAVE-NY

2017/2018 CHIPS & Local PAVE-NY Funding information has been received from New York State.

- H. ZBA/Planning Board
- I. Youth Recreation

MOTION was made by Trustee Morgan that the Nunda Village Board of Trustees accepts the reports as presented, seconded by Deputy Mayor Amrhein. Carried 5-0.

New Business

A. Approval to Re-levy outstanding Water/Sewer Bills as of May 1, 2016 onto 2017 Village Taxes;

MOTION was made by Trustee Morgan to authorize the Village Clerk-Treasurer to re-levy any outstanding Water/Sewer Bills as of May 1, 2017 onto the 2017 Village Tax Bills, seconded by Trustee Snyder. Carried 5-0.

B. *Local Code of Ethics and General Municipal Code* 800 - 809 Distributed to all Board Members and Village employees, was reviewed and discussed.

C. Public Hearing - 2017 – 2018 Village Budget

At 8:00 PM Mayor Cox announced the opening of the Public Hearing on the adoption of the 2017-2018 Village Budget.

MOTION was made by Trustee Morgan to officially open the Public Hearing on the 2017-2018 Budget, seconded by Deputy Mayor Amrhein. Carried 5-0.

Clerk-Treasurer Wood discussed the receipt of 2017 CHIPS Funding and additional funding under a New York State Program, Local PAVE-NY. The Village Board of Trustees did approve amending the Tentative Budget to reflect the additions of CHIPS and Local PAVE-NY funding to the General Fund Budget. Final budgetary numbers were discussed with the Board and Public at this time.

D. Owner-Occupied Rehabilitation Program

Thoma Group has provided to the village information on a Community Development Program for the rehabilitation of certain homes within a municipality at a reduced cost to the homeowner through a community block grant if certain qualifications are met.

MOTION was made by Trustee Morgan to pursue additional information and develop a plan on ways to help the community acquire such grant funding for the residents in the village, seconded by Deputy Mayor Amrhein. Carried 5-0.

E. Christmas in Nunda Committee

Clerk-Treasurer Wood provided a breakdown of expenditures for the past several years from the annual Christmas in Nunda event to all Board Members. Included in the expenditure breakdown was a remaining balance of funds collected for this annual event. Should any reimbursement from the village occur, a formerly established organization must exist. The deadline for any reimbursement back to this committee is May 31, 2017 per Board Motion on November 14, 2016.

F. Backhoe H Fund Equipment Reserve Account interest move to General Fund Equipment Reserve Account

Clerk-Treasurer Wood explained that during the process of purchasing the backhoe earlier in the fiscal year the bank account did accrue \$1.51 interest prior to any payments for the backhoe. Clerk-Treasurer Wood is asking the Board to have this interest earned moved from this Backhoe H Fund Equipment Reserve Account to the General Equipment Reserve Account and become a part of that account.

MOTION was made by Trustee Morgan to move any existing interest accrued from the Backhoe H Fund Equipment Reserve Account to the General Fund Equipment Reserve Account, seconded by Trustee Snyder. Carried 5-0.

G. Water Tank Maintenance

Water and Streets Superintendent Bennett provided two quotes for the required maintenance and inspection of the water tanks at the water plant. A third company was contacted; however, they do not provide service to New York State municipalities at this time. Liquid Engineering's quote was \$3,325.00 and U.S. Underwater Services, LLC quote being \$2,998.00. Because of the familiarity of our water plant, Superintendent Bennett recommended Liquid Engineering to provide the service. With **extensive deliberation** of the Board, it was decided that due to the *familiarity and knowledge* of our working systems, Liquid Engineering will be used to provide this require service.

MOTION was made by Trustee Morgan to use Liquid Engineering to provide the required tank maintenance and inspection for 2017 at a cost of \$ 3,325.00, seconded by Deputy Mayor Amrhein. Carried 5-0.

H. Carbon – Filtrasorb 200

Water and Streets Superintendent Bennett discussed the changing out of certain carbon for filtration purposes at the water plant. A request to purchase Filtrasorb 200 from CalgonCarbon has been submitted for review and discussion to the Board. Superintendent Bennett recommended this product from CalgonCarbon due to the reasoning of sensitivity and applicability to such equipment at the water plant. Changing or using different chemicals or chemical filtration systems can cause multiple deviations of current water production and supply to the community. For this reasoning, the Board agreed to stay with the current supplier of this carbon.

MOTION was made by Trustee Morgan to purchase Filtrasorb 200 from CalgonCarbon at a price of \$ 1.55 per bag and a total of 2,200 bags for a price of \$ 3,410.00, seconded by Deputy Mayor Amrhein. Carried 5-0.

I. 2017 Spring Regional Local Government Workshop – Planning

Old Business

- A. Annexation Well Site contact Village Attorney to inquire on the progress of this request
- B. Trash Collection Trustee Allen has provided much research on this subject. Work to incorporate this service into next year's taxes will begin early Fall 2017 with a Public Hearing to take place.
- C. Zombie Homes Legislature
- D. Dog Control Contract

MOTION was made by Trustee Snyder, regrettably, to enter into a one year Intermunicipal Agreement with Livingston County for Dog Control Services at a cost of \$4,600.00 annually to be billed quarterly, seconded by Trustee Allen. Carried 4-1 (Deputy Mayor Amrhein voted no).

- E. Cyber Security Insurance
- F. Employee Policy-Accrual Reimbursement

Clerk-Treasurer Wood mentioned concerns on the reimbursement of accruals upon an employee separating from service either through direct termination, employee choice to leave employment or by employee retirement. Currently, the Employee Policy dictates some accrual reimbursement but not all.

G. NYS Urban Forestry Grant Clerk-Treasurer Wood mentioned a specific date to have an Arbor Day Celebration, in conjunction with the Village being awarded the 2017 United States Department of Agriculture and New York State Urban Forestry Grant, with a tree planting event. The Board decided on Saturday, May 13, 2017, at 2:00 PM, at the Village Park for the occasion.

H. Disability Insurance -accrual reimbursement

Clerk-Treasurer Wood informed the Board of receipt of a disability check from Standard Liability for

the time Waste Water Treatment Plant Operator Hugi was off work due to a medical condition. Accruals will be reimbursed on the next payroll as decided by the Board through a Motion on March 13, 2017.

I. Village Hierarchy proposal-time off requests

Discussion on the creation of a time-off request form will be presented at the next regularly scheduled Board Meeting in May for review and possible approval. This request form will be an update to the Employee Policy.

MOTION was made by Trustee Morgan to accept and implement an Organizational/Hierarchy Level Chart for the Village of Nunda employees to following showing a direct chain of command structure as to whom employees should report directly to should a concern arise, seconded by Trustee Allen. Carried 5-0.

PUBLIC HEARING

There were no questions or comments from the public. The Board acted on approving the 2017-2018 Budget.

Resolution no. 2017-019

BE IT RESOLVED that the Nunda Village Board of Trustees adopt the 2017-2018 Budget of the Village of Nunda as follows:

GENERAL FUND:	\$ 682,781.90
SEWER FUND:	\$ 233,438.00
WATER FUND:	\$ 315,186.00
YOUTH RECREATION:	\$ 20,334.08

Grand Total Amount is \$ 1,251,739.98 with \$ 434,705.00 to be raised by taxes for the General Fund at the Tax Rate of \$ 10.361089 per thousand an *increase* of \$.028362 per thousand assessed. The Water Debt Charge will *decrease* from \$ 31.62 to \$ 28.50 per quarter, per living unit. The Sewer Debt Charge will *increase* from \$ 4.32 to \$ 4.40 per quarter, per Sewer Unit.

With no further discussion to be held, the motion to adopt the 2017-2018 Village Budget and close the Public Hearing was made by Trustee Morgan, seconded by Trustee Snyder at 9:21 PM. Carried 5-0.

Other Business

Water and Streets Superintendent Bennett respectfully requested some type of letter of thanks to be sent to the Village of Mount Morris for their support during a recent major sewer back-up concern in the Village of Nunda. Mayor Cox directed such correspondence to be prepared with many thanks and our gratitude to the Village of Mount Morris.

Communications/Information Items

- A. Calendar April & May 2017
- B. Association Dinner April 26, 2017
- C. NYRWA 20 Year Membership Certificate Presentation
- D. DEC Residential brush burning directive

<u>Adjournment</u>

With no further business to be discussed, the motion to adjourn was made by Deputy Mayor Amrhein, seconded by Trustee Snyder at 9:26 PM. Carried 5-0.

Respectfully submitted,

LeRoy J. Wood Clerk-Treasurer