

January 9, 2017

**The Regular Meeting of the Nunda Village Board of Trustees was held on January 9, 2017 at the Nunda Government Center Building with the following present:**

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

**Councilperson:** James Forrester

**Chief Water Operator - Department of Public Works Superintendent:** Troy Bennett  
**Laborer:** Brian Emke  
**Clerk-Treasurer:** LeRoy Wood

**Citizens:** Ron Adam

**Mayor Cox** - called the meeting to order at 7:00 P.M.

**Roll Call:** All present

**Pledge of Allegiance** - led by Trustee Morgan

**Visitor's Form** – *Darin Ramsay* from Genesee/Finger Lakes Regional Planning Department presented the Clean Energy Communities Program. Mr. Ramsay discussed grant options under this program as well as requirements for attaining such grant. The program would be in partnership with New York State Energy Research and Development Authority (NYSERDA).

*Mr. James Forrester*, Town of Nunda Councilperson, was asked to appear and discuss cyber security and cyber security insurance options available for such coverage with both the Village and Town. Mr. Forrester mentioned our requirement for disclosure should some type of cyber attack occur and our responsibilities of informing such persons of such attack. Municipalities, at this time, have no requirement to carry cyber security insurance however, still have the obligation to report. Mr. Forrester stated that we must have a cyber security notification policy in place and that the best option prior to pursuing cyber security insurance is to have the Village Clerk, Town Clerk and himself get together to develop such policy and present to each Board for review, discussion and eventual adoption. Mayor Cox thanked Mr. Forrester for his input and time.

**Approval of Minutes**

A. *December 12, 2016*

**MOTION** was made by Deputy Mayor Amrhein to approve the meeting minutes as presented, seconded by Trustee Morgan. Carried 5-0.

Mayor Cox asked Clerk-Treasurer Wood if the meeting minutes from the September 13, 2016 Joint Meeting were received from the Trinity Church. Clerk-Treasurer Wood replied no. Trustee Morgan stated he would provide his copy of these meeting minutes to the Clerk-Treasurer,

**Approval of Invoices**

The Nunda Village Board of Trustees has reviewed and approve invoices for payment on Abstract no. 4 as follows:

A. Abstract no. 4

GENERAL -	\$ 27,313.68
WATER -	\$ 18,456.00
SEWER -	\$ 13,421.73
YOUTH-	\$ <u>0.00</u>
<b>TOTAL –</b>	<b>\$ 59,191.41</b>

The RG&E invoice at the Sewer Plant was thoroughly discussed as to the large increase in usage over the past month. Mayor Cox stated he would contact the company specifically to ascertain to charges to the Village.

**MOTION** was made by Deputy Mayor Amrhein, seconded by Trustee Snyder. Carried 5-0.

### **Reports**

#### *A. Police*

1. Monthly Report – December 2016
2. Payroll Reports
3. Police Officer Thomas resignation

**MOTION** to accept Police Officer Thomas resignation from the Joint Village and Town Police Department was approved with thanks and regrets.

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

Clerk-Treasurer Wood mentioned that Cora Cassidy, Custodial Worker for both Village and Town of Nunda, will be spending one of her days per week at the 1 Mill Street address, Nunda Police Department location, to clean.

#### *B. Code Enforcement/Zoning*

1. Monthly Report – December 2016

#### *C. Sewer*

1. Chief WWTP Operator Hugi out of work due to surgery.

#### *D. DPW*

1. December 2016 Calendar provided
2. Door openers for PESH Violation, safety concerns

**MOTION** to accept the quote for the DPW Building door safety sensors as required through the most recent PESH review from Overhead Door Company of Batavia at a cost of \$2,590.00 for six remotes.

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

#### *E. Water*

1. One water break fixed over the past month

#### *F. Justice*

1. Monthly Reports – December 2016 – not available for this meeting

#### *G. Treasurer's Reports*

1. Monthly Reports – December 2016 bank statements were not received in time to process report, presentation of December 2016 report to be reviewed with Board in February 2017.

#### *H. ZBA/Planning Board*

1. Two community members have expressed interest in two vacancies on the *Planning Board*. Mayor Cox has requested Clerk-Treasurer Wood to contact these two folks and invite them to the next regularly scheduled Village Board meeting in February 2017 for introductions, intentions, and discussion of the responsibilities of serving on this Board.

#### *I. Youth Recreation*

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

### **New Business**

#### *A. PESH Report*

PESH on an unexpected visit to Nunda stopped and conducted several audits of the Village DPW Building, equipment, and personnel. These final reports were provided to each Board member for review. After discussion with PESH representative, DPW Superintendent Bennett will provide answers and completion dates of violations directly to PESH Inspectors.

*B. Police Pay Increase*

**MOTION** from the Nunda Village Board of Trustees to approved a \$1.00 per hour pay raise to all Nunda Police Department Police Officers retroactive to January 1, 2017.

The motion was made by Trustee Morgan, seconded by Trustee Allen. Carried 5-0.

*C. Employees Benefit Accrued Liability Reserve Fund Discussion*

Discussion on the *creation* of this reserve account to offset costs in the future of a fulltime employee retiring and owed payment of accruals according to the Village Employee Policy. These reserve funds would be specific to payment of vacation, personal time, sick time, Compt. Time earned. Only funds amounting to the cost of paying out for accruals earned can be in such reserve fund. Post-employment healthcare cannot be paid from this fund.

*D. Reimbursement for mileage as set by the IRS for 2017*

**Resolution no. 2017-001**

**WHEREAS** the Board of Trustees has determined to pay a fixed rate for mileage as reimbursement to Village officers and employees who use their personal automobiles while performing their official Village duties;

**NOW THEREFORE BE IT RESOLVED:**

**Section 1.** That the Board of Trustees approve reimbursement to such officers and employees at the rate authorized by the IRS currently at the rate of \$.535 per mile.

**Section 2.** That this resolution is effective retroactive to January 1, 2017

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

E. Daniel Strobel removed from Village Healthcare Program as requested by employee

**Old Business**

A. *Water Law* – Updated Law provided to committee for review

**Resolution no. 2017-002**

**BE IT RESOLVED**, the Village Board of Trustees has approved a Public Hearing for February 13, 2017 for the discussion and adoption of Local Law no.1 of 2017-Water Rules and Regulations, which is to repeal Local Law no. 1-2004-Water Rules and Regulations.

The motion was made by Trustee Morgan, seconded by Trustee Allen. Carried 5-0.

*B. Annexation – Village Well Site*

Clerk-Treasurer Wood stated he still needs to meet with the Village Attorney on the process of moving forward with annexing the Village Well Site.

*C. Trash Collection in Nunda*

Discussed with no decisions in moving forward at this time.

*D. Zombie Homes Legislation*

Discussed with no action being taken by the Board at this time. Mayor Cox wanted Mark Mullikin, Village Code Enforcement Officer to develop and report progress in reporting to New York State on concerned properties in the Village.

*E. Dog Control Contract Renewal*

The Board extensively deliberated the use of this contract and the cost to the Village Taxpayers, decision to move forward with this contract will be further discussed at the next regularly scheduled Board Meeting in February 2017. Mayor Cox stated he would contact Livingston County Dog Control for additional assistance in answering questions about cost, use, and availability of services.

*F. Employee Policy-Accrual Reimbursement-Paid Time Off for Part-Time Employees*

Clerk-Treasurer Wood mentioned the current Village Employee Policy does not have

actual language as to reimburse fulltime employees of vacation and personal accruals. Clerk-Treasurer Wood asked to discuss this concern at the next regularly scheduled Board Meeting in February 2017 for possible resolution.

Clerk-Treasurer Wood presented research associated with reimbursing part-time employees for potential accrual earnings. Described as paid time-off, these accruals would be issued annually to all part-time employees who qualified for such paid time-off by working a specific number of hours, annually.

#### **Other Business**

**MOTION** was made by Deputy Mayor Amrhein to enter into executive session, at 8:53 PM, for the discussion of an *employee's medical concern*, the motion was seconded by Trustee Morgan.

Carried 5-0.

**MOTION** was made by Deputy Mayor Amrhein to exit executive session, at 9:06 PM, the motion was seconded by Trustee Snyder. Carried 5-0.

#### **Communications/Information Items**

- A. Calendar – January 2017 & February 2017
- B. Nunda Boy Scout Troop 4077-Open House, Saturday, January 28, 2017
- C. Livingston County Youth Bureau – Teen Recognition Awards
- D. Livingston County EMC Presentation

#### **Adjournment**

With no further business to be discussed, the motion to adjourn was made by Trustee Morgan, seconded by Deputy Mayor Amrhein at 9:09 PM. Carried 5-0.

Respectfully submitted,

LeRoy J. Wood  
Clerk-Treasurer