

June 11, 2019

The Regular Meeting of the Nunda Village Board of Trustees was held on June 11, 2019 at the Nunda Government Center Building, at 6:30 PM with the following present:

Mayor: Jack Morgan
Deputy Mayor: Darren Snyder
Trustees: Mel Allen
William McTarnaghan
Donald Wilcox

Water and Streets Superintendent: Troy Bennett
Waste Water Treatment Operator: Markus Hugi arrived at 6:40 PM
Code Enforcement/Zoning Officer: Mark Mullikin
Chief of Police: Ryan Dale
Administrator/Clerk-Treasurer: LeRoy Wood

Citizens: Deputy Town Supervisor James Forrester
Planning Board Chairperson Alex Pierce
Ron Adam 4 High School Students
Mr. & Mrs. Piper

Mayor Morgan - called the meeting to order at 6:30 PM

Roll Call: All Board members present

Pledge of Allegiance: Led by Trustee Dr. Wilcox

Visitor's Form: Mrs. Piper stated she has neighbors that are burning items other than wood. Neighbors are burning items as early as 5:00 AM.

Mayor Morgan stated he would look into the Nuisance Law. Also, asked Mr. & Mrs. Piper if they had called the Police.

Mrs. Piper stated they had in the past and the response times were slow.

Chief Dale suggested to have Mrs. Piper call the Nunda PD/dispatch, the response time would be quicker. Mrs. Piper asked Chief Dale if these calls are documented. Chief Dale stated each call is documented.

Approval of Minutes

A. May 14, 2019

MOTION was made by Trustee Allen to approve the minutes as *presented, discussed, and*

reviewed, seconded by Trustee Wilcox. Carried 5-0.

B. May 28, 2019

MOTION was made by Mayor Morgan to approve the minutes as *presented, discussed, and reviewed*, seconded by Trustee McTarnaghan. Carried 5-0.

Reports

A. *Police*

1. Nunda Police Department Monthly Report - May 2019
2. Community Policing Report - May 2019
3. Payroll - May 2019
4. Police Abstract No. #6
5. Police Commissioners Board Meeting Minutes, June 3, 2019-draft version
6. Reserve Account establishment for future purchases of Protective Vests

Resolution 2019-020

BE IT RESOLVED, that pursuant to Section 6-c of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the “Reserve Fund” (hereinafter “Reserve Fund”). The purpose of this Reserve Fund is to accumulate moneys to finance the cost of a specific Joint Town and Village of Nunda Police Department (hereinafter “Nunda Police Department”) Protective Body Armor Vests. The specific Protective Body Armor Vests to be financed from the Reserve Fund is the acquisition of the Nunda Police Department. The estimated maximum cost of such Protective Body Armor Vests exceeds \$12,000.00 every three to five years at the start of this said resolution.

The chief finance officer is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The Town and Village of Nunda governing boards and the designated chief finance officer may invest the moneys in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of both municipalities. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The chief finance officer shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to *each* Board a detailed report of the operation and condition of the Reserve Fund.

Except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of both governing boards and such additional actions or proceedings as may be required by Section 6-c [6-g] of the General Municipal Law and any other law.

The **motion** to create/establish this reserve fund with a separate bank reserve account beginning January 1, 2020 was made by Trustee Wilcox with investments into said fund to be provided through the annual budgeting process of the Police Commissioners, Police Chief, and both Town and Village of Nunda governing Boards approval, seconded by Trustee McTarnaghan. Carried 5-0.

B. Code Enforcement/Zoning

1. Monthly Report – May 2019

C. Waste Water Treatment Plant

1. Updated Board on progress of WWTP Capital Improvement Project
2. Departmental Activity Log provided for May 2019
3. Conveyor purchase

Much discussion on the purchase of a new conveyor has taken place over the past several months. Chief Hugi detailed the need and use for this equipment extensively. The conveyor would be purchased through the H Fund – Capital Projects Account.

MOTION was made by Deputy Mayor Snyder to purchase a conveyor for waste processing at the Waste Water Treatment Plant from Interquip for \$7,665.00 per specifications presented to the governing board by Chief Waste Water Treatment Operator Hugi under the current capital project funding; H-Fund, seconded by Trustee Wilcox. Carried 5-0.

4. Annual DEC Inspection completed with results to be delivered to the municipality
5. Chemicals for foaming concern have been purchased with results already being seen with the problem already starting to be eradicated.

D. Water/Department of Public Works

1. Departmental Activity Log not provided for May 2019
2. Street Paving Update

Superintendent Bennett stated Keshequa Schools contacted him on potential work being started at Rymer Fields with possible irrigation being added to the upper soccer fields requiring access to additional water source through the municipality. Superintendent Bennett stated he will put-off paving South Walnut Street due to this potential project because of the work to be completed would tear into the new paving and would not work. Superintendent Bennett stated he would like to complete all of Vermont Street instead so long as funding holds out.

3. Dump truck - Superintendent Bennett is looking at having the dump truck fixed

soon.

4. Hiring new fulltime Laborer

Superintendent Bennett stated he and his Deputy (Emke) reviewed all applications received (4). Three applicants were called for interviews. Two accepted with the third declining. With extensive discussion with the Board and with Superintendent Bennett's recommendation, it was determined to offer the open fulltime Laborer position to Jamie Wood at \$ 18.00 per hour with an increase to \$ 18.50 after six-months should prospective employee successfully complete a probationary phase of employment.

MOTION was made by Trustee Allen to hire Jamie Wood as a fulltime laborer at \$ 18.00 per hour with an increase to \$ 18.50 after a successful six-month probationary period, seconded by Deputy Mayor Snyder. Carried 5-0.

E. *Justice*

1. Monthly Reports – May 2019

F. *Treasurer's Reports*

1. Monthly Treasurer's Report - May 2019
2. Monthly Bank Statement Account - May 2019
3. Collateralization Report - May 2019
4. Payroll #10, #10A, #11 - Certification Review
5. Departmental Activity Log provided for May 2019

Discussion of **each fund** took place. The monthly Treasurer's Report was then compared to each bank account. All bank accounts ending balances **did not match** the Treasurer's Report as presented. The municipality banking institution posted all interest earned for the month of May 2019 on June 2, 2019, thus creating the disparity of not matching.

The *Balance Sheet, Detail of Revenues and Cash Receipts Journal, Detail of Expenditures and Cash Disbursements Journal* - Statements were provided to each Board member **for each fund** for review, and discussion. The monthly Collateralization Report did provide enough funding as required. Each reserve account was reviewed with the Village Board.

End of Fiscal Year Financial Reports (Annual Updated Document) have been started with a due date of July 31, 2019 to the New York State Comptroller.

H. *ZBA/Planning Board*

I. *Youth Recreation*

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

Approval of Invoices

A. Abstract No. 001

The Nunda Village Board of Trustees has reviewed and approve invoices for payment on Abstract no. 001 as follows:

GENERAL	- \$ 128,904.87
WATER	- \$ 5,947.15
SEWER	- \$ 4,673.33
YOUTH	- \$ 86.00
WWTP CIP	- \$ <u>.00</u>
TOTAL	- \$ 139,611.35

The motion was made by Trustee Wilcox, seconded by Trustee McTarnaghan. Carried 5-0.

New Business

A. Discussions with Town Board

At 7:31 PM, the Village Board took a brief break to visit with the Town Board.

Items discussed with no action from either board are listed:

1. Tax Abatement on Village properties outside Village limits
2. Police Department vehicle
3. Lawson Properties
4. New Water District for Town new Highway Department Building on Hay Road

Each topic of concern was briefly discussed. The tax abatement the Town and Keshequa Schools provides is ending June 2020. The Village Board wanted to be proactive in initiating discussions now to continue the abatement. Mayor Morgan suggested a group/committee of both boards get together and discuss the tax abatement.

The Police vehicle was a major concern with either repairing current vehicle or investing in a new one. It was decided the Police Chief would research all options and brief the Police Commissioners forthwith.

Lawson properties on State Route 70 in Dalton, New York located in the Town of Nunda was briefly mentioned. Intentions of either municipality were not definitively stated.

The Town was being proactive in alerting the Village as to water and sewer services becoming available in the near future once the new construction Town Building gets started.

Mayor Morgan recommended a Joint Meeting of both boards to further discuss topics listed be

scheduled. June 25, 2019 was suggested and agreed upon to have a Joint Meeting of both boards.

Village Board left Town Board Meeting at 8:21 PM.

B. Budget Modifications with H Fund – WWTP CIP

Administrator Wood stated the municipality received reimbursement for invoices related to the WWTP CIP. These funds were placed into the H200 (Cash) account. Administrator Wood requested a portion of these funds be assigned accordingly:

From	H3991 – State Aid-Capital Projects	\$ 30,000.00	
To	H1380.4 – Fiscal Agent		\$ 10,000.00
To	H1440.4 – Engineering		\$ 20,000.00

Resolution no. 2019-021

BE IT RESOLVED, that the Administrator/Clerk-Treasurer be authorized to make necessary budget modifications to the H Fund – Capital Improvement Projects Account as listed above. The **motion** was made by Trustee McTarnaghan, seconded by Trustee Wilcox. Carried 5-0.

C. Proposal for Professional Services – Grant Writing WWTP CIP 2019 CFA

Resolution no. 2019-022

BE IT RESOLVED, that the Village of Nunda is seeking additional funding to help manage their Waste Water Treatment Plant Capital Project approves MRB Group to initiate grant writing services on behalf of the Village of Nunda to ascertain funding from Department of Environmental Conservation through the Consolidated Funding Application process at a cost not-to-exceed \$ 3,500.00 with the understanding that with the receipt of grant monies the municipality would need to match 25% of the costs.

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

Old Business

- A. Sewer Ordinance – tabled until WWTP CIP is completed
- B. 1 Mill Street Flooring - discussed
- C. Evaluation Program-Job Descriptions (feedback-received from Dept. Heads)
- D. Sexual Harassment Training-NY State Mandate - schedule training in August 2019
- E. Cemetery business - completed
- F. Inventory of property
- G. CDBG update

A meeting with Thoma Development took place this day. The program and application process were discussed along with approved parameters the municipality residents have to meet in order to participate in this community block grant. Contacts were established.

Policy Review

A. Purchasing Policy

Administrator Wood provided new guidelines for review of the Board and to be discussed. Changes/additions in dollar thresholds and method of requirement are listed;

For purchase contracts:

\$ 500 to \$ 1,499.99	Two written/fax/email quotations, with Administrators approval.
\$ 1,500 to \$ 19,999.99	Three written/fax/email quotations, or written request for Proposal (RFP), Board approval.
\$ 20,000.00 and over	Competitive sealed bid process, Board approval.

For public works contracts:

\$ 35,000.00 and over	Competitive sealed bid process, Board approval.
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MOTION was made by Trustee Wilcox to amend the municipalities Procurement Policy as listed, and discussed thoroughly, seconded by Trustee Allen. Carried 5-0.

B. Nunda-Portage Summer Recreation Policy

Director Gordinier provided a policy requested several months ago on the operations of the Youth Recreation Program. After review, the municipality commended Director Gordinier on his development of this program policy. Two additions to the policy were discussed and requested to be added into this policy; required training and background checks for potential employees. The Village Board requested these two items be added to policy with final discussion at next months Board meeting prior to approving said policy.

Other Business

A. Tree removal

Superintendent Bennett had concerns with residential tree removal being placed out at curbside for municipality to pick-up. It was stated that the municipality cannot provide this service as to the limited staffing and time required to process this tree removal. Item to be further discussed in the future.

Communications/Information Items

A. Sewer Units

A concerned resident contacted the Administrator about being charged for an extra sewer unit after their new residence was previously owned by a family that used a tremendous amount of water and was charged properly. This proper charge to the previous homeowner included an additional sewer unit because of the annual water usage.

Administrator Wood stated, reevaluation and additional research on the affects this change would incorporate throughout the Water/Sewer Software would need to be conducted. The effects would cause a domino affect in the billing and debt collection processes.

After careful deliberations with the resident and Mayor Morgan it was determined that it would be troubling to charge a new owner for a previous homeowner's usage. At this time, it is recommended to allow for the charge of additional water/sewer units to be examined more stringently once ownership of homes changes.

Mayor Morgan agreed. Should this concern come to fruition in the future on a case-by-case basis, the governing board will be appraised of the situation through full transparency.

Adjournment

With no further business to be discussed, the motion to adjourn was made by Trustee Allen, seconded by Trustee McTarnaghan at 9:35 PM.

Respectfully submitted,

LeRoy J. Wood
Administrator/
Clerk-Treasurer