

March 12, 2019

The Regular Meeting of the Nunda Village Board of Trustees was held on March 12, 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 7:03 PM
Code Enforcement/Zoning Officer: Mark Mullikin arrived at 8:32 PM
Chief of Police: Ryan Dale
Officer: Phil Bauers
Officer Candidate: Chelsea Galuski
Laborer: Daniel Strobel arrived at 7:03 PM
Clerk-Treasurer: LeRoy Wood
Deputy Clerk Mechelle Gillen

Town Councilman: Michael Hillier arrived at 8:30 PM

Citizens: 9 Keshequa Students present for observation and School assignment purposes

Ron Adams James Blowers Tim Cassidy Sr.

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

Roll Call: All Board members present

Pledge of Allegiance: Led by Trustee Bill McTarnaghan

Open Public Hearing on Public Open Burning Law

Mayor Morgan opened the public hearing at 6:32 PM

Mayor Morgan asked if there were any questions of the attendees on the proposed local law.

Visitor's Form

Mayor Morgan asked if there were any visitors that wished to speak.

Approval of Minutes

A. February 12, 2019

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

B. March 9, 2019-Joint Tri-Board Meeting with Town of Nunda and Keshequa School

MOTION was made by Trustee Wilcox to approve the minutes *presented, discussed, and reviewed*, Seconded by Trustee Snyder. 5-0

Approval of Invoices

A. Abstract No. 003

The Nunda Village Board of Trustees has reviewed and approve invoices for payment on Abstract no. 003 as follows:

GENERAL - \$ 12,773.72
WATER - \$ 3,732.28

SEWER -	\$ 6,863.90
YOUTH-	\$.00
WWTP CIP	<u>\$ 6,832.40</u>
TOTAL –	\$ 30,202.30

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

Reports

A. Police

1. Nunda Police Department Monthly Report - February 2019
2. Community Policing Report - February 2019
3. Payroll – February 2019
4. Police Abstract No. #3

Chief Dale was pleased to announce that the new Patrol vehicle is now in service and in use.

Chief Dale stated that Officer Eldridge and Officer Chatley will be attending Drug Interdiction and Conducting Complete Traffic Stop Training by the Northeast Counterdrug Training Center on March 18th and 19th held at SUNY Geneseo College.

Recruit Galuski is attending the LCSO DCJS Second Phase Police Officer Certification course on February 25th through March 12th. Recruit Galuski has already completed Firearms Training Course with high honors. Recruit Galuski will be schedule to start FTO training on March 13th. Primary FTO instructors will be Chief Dale and Officer Whitney. Academy FTO will end on May 12th, 2019.

Officer Whitney is attending the DCJS Instructor Developmental Course on February 25th through March 8th. Officer Whitney was sent to this training by SUNY Alfred and will be state certified to teach in service topics in the Nunda Police Department.

Chief Dale presented a printed copy of a Power Point presentation to the Village Board members provided by Officer Whitney detailing the Bike Patrol Unit. The novelty of a police officer on a bike is often enough to start overcoming the negative perceptions that some members of the public have about law enforcement. Other bicyclists are more accepting of Bike Patrols Officers. Bicycle Patrols result in more than twice as many contacts with the public than Vehicle Patrols. Bike Patrols can also go where traditional patrol vehicles cannot.

MOTION was made by Deputy Mayor Snyder to proceed with the Bike Patrol using up to \$1,000 in donations received to purchase bicycle and other equipment as needed, seconded by Trustee Allen. Carried 5-0.

B. Code Enforcement/Zoning

1. Monthly Report – February 2019

C. Waste Water Treatment Plant

1. Updated Board on progress of WWTP Capital Improvement Project
2. Departmental Activity Log provided for February 2019

D. Department of Public Works

1. Departmental Activity Log not provided for February 2019
2. Water and Streets Superintendent Bennett discussed his visit to the Capital Region advocating for additional funding for CHiPs projects.
3. Superintendent Bennett stated he has contacted Spallina's for paving of Village Streets this year. South Walnut and a portion of Vermont Street are looking at being paved this year.

E. Water

1. Quote for replacement glass at Water Treatment Plant

MOTION was made by Trustee Wilcox to authorize the replacement of Water Treatment Plant windows in the amount of \$2270.00, seconded by Trustee Allen. Carried 5-0.

F. *Justice*

1. Monthly Reports - February 2019

G. *Treasurer's Reports*

1. Monthly Treasurer's Report - February 2019
2. Monthly Bank Statement Account - February 2019
3. Collateralization Report - February 2019
4. Payroll #04 - Certification Review
5. Payroll #04A - Certification Review
6. Payroll #05 - Certification Review
7. Payroll #5A - Certification Review
8. Departmental Activity Log provided for February 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 match* the Treasurer's Report as presented.

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.

H. *ZBA/Planning Board*

I. *Youth Recreation*

1. Trustee Wilcox stated he has spoken with Director Gordinier about this year's program. A concern about a lifeguard position was discussed with more information to come.

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

New Business

- A. John Cipolla Day -March 25, 2019

MOTION was made by Mayor Morgan to declare March 25, 2019 John Cipolla day to celebrate Mr. Cipolla's 100th Birthday, seconded by Trustee Allen. Carried 5-0.

- B. James Blowers Water/Sewer Bill Account # 1397

Mayor Morgan welcomed Mr. Blowers to the meeting to discuss his concern for his water and sewer bill for account # 1397.

Before Mr. Blowers was to speak, Clerk-Treasurer Wood asked Mayor Morgan if he could read a prepared letter in reference to this concern.

Mayor Morgan allowed Clerk-Treasurer Wood to read the following:

March 12, 2019

Memorandum for the Record

Water-Sewer Account #1397
James Blowers
8 South Church Street

PO Box 693
Nunda, NY 14517-0693

On December 17, 2018, Mr. Blowers entered the Nunda Government Center to pay his quarterly water bill.

Mr. Blowers home consists of a downstairs residential home and an upstairs apartment. This would constitute a two-unit residence, meaning this account number is charged for two water units and two sewer units according to local law.

Mr. Blowers questioned why his bill was high. At this time, I reviewed his bill and looked up his account in our software program. Mr. Blowers was charged according to the make-up of his home, 2:2 water/sewer units. I asked Mr. Blowers if he had had a tenant this quarter, his reply was no. I then stated I would adjust his bill to reflect what it would be without a tenant. I marked his bill accordingly. I also stated that this action would need to be Board approved before any adjustment would be final. The Clerk-Treasurer does not have the authority to make adjustments to anyone's account without Board approval. Clerk-Treasurer Wood stated to Mr. Blowers that the requested adjustment would be brought the Village Board at their next regularly scheduled meeting.

Mr. Blowers then asked why his usage was high. I asked again if he had a tenant, his reply was no. I then told Mr. Blowers that we would get our Chief Water Operator to do a reading in the next few days to ascertain if there could be a leak at his home. The Village did indeed read Mr. Blowers meter and there were no discrepancies as to routine water use at this address.

The requested adjustment was brought up at the next regularly scheduled Board Meeting. The following Board action took place on *January 8, 2019*;

MOTION was made by Trustee Wilcox to reduce Water and Sewer Account #1397 the total of \$115.56, which includes penalty charges, on the terms that the Water Law be followed and Mr. Blowers separate all plumbing to the upper apartment at his home to allow a separate water meter to be installed and for better accountability of water use at the location, seconded by Trustee McTarnaghan. Carried 5-0.

Mr. Blowers contacted the Village Clerk-Treasurers Office in February 2019 inquiring about why his bill was high. Clerk-Treasurer Wood responded to Mr. Blowers as to the governing boards decision to have him separate his plumbing and then the adjustment would take place.

At no time was service cut-off to this property, by order of the Mayor, in order to allow Mr. Blowers, the time to change the plumbing according to Local Law.

LeRoy Wood
Village Clerk-Treasurer
March 12, 2019

Mayor Morgan then asked Mr. Blowers if he had changed his plumbing?

Mr. Blowers replied; no. Mr. Blowers did voice his concerns with the billing process in a respectful manner to the Board.

Mayor Morgan asked Mr. Blowers about the excess water consumption during the quarter being discussed. Mr. Blowers thought there could a faulty meter present.

Deputy Mayor Snyder stated that the Village had spent thousands of dollars updating technology so something like faulty meter reads would not occur.

Mayor Morgan asked Mr. Blowers if a 30-day change to plumbing and forgiveness on any late charges associated with this account would warrant rectification of this concern.

Mr. Blowers stated he would be fine with this decision.

MOTION was made by Deputy Mayor Snyder to adjust any late fees associated with Water Account #1397 once plumbing has been incorporated at Mr. Blowers home residence, 8 South Church Street, in

order to separate the main home living unit quarters with the apartment upstairs at this location, seconded by Trustee McTarnaghan. Carried 5-0.

C. Shared Services-discussion

Clerk-Treasurer Wood presented a copy of the known shared services the Village participates with other organizations (County, School, Town). The decision to create one listing was predicated on the Tri-Board Meeting on March 9, 2019. Discussions at this meeting prompted the Village to see exactly where savings could be found through shared services.

D. Village Administrator-Position

MOTION was made by Deputy Mayor Snyder to approve the creation of The Village Administrator, Seconded by Trustee Allen. Carried 5-0.

MOTION was made by Deputy Mayor Snyder to hold a Public Hearing on proposed Local Law #2 of 2019 Village Administrator to be held March 26, 2019 at 6:30 PM, seconded by Trustee McTarnaghan. Carried 5-0.

E. Water/Sewer Account #1614-14 Massachusetts Street Adjustment

MOTION was made by Deputy Mayor Snyder to reduce the Water/Sewer Account #1614 by \$58.93 to correct final bill adjustments, seconded by Trustee Allen. Carried 5-0.

F. Colorectal Cancer Awareness Month

Resolution No. 2019-010

WHEREAS, colorectal cancer is the third most commonly diagnosed cancer and the second most common causes of cancer deaths for men and women in the United States;

WHEREAS, colorectal cancer affects both men and women equally;

WHEREAS, the vast majority of colorectal cancer deaths can be prevented through proper screening, early detection and education;

NOW THEREFORE, BE IT RESOLVED that the Nunda Village Board of Trustees recognizes March 2019 as “Colorectal Cancer Awareness Month” and supports the Main Streets Go Blue initiative targeting 80% of the population screened for colorectal cancer by the year 2019.

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

G. Worksite Sponsor Program through Livingston County

Old Business

A. Cemetery business - discussed

B. Open Burning Local Law

C. Sewer Ordinance -

Waste Water Treatment Plant Operator Hugi and Village Clerk-Treasurer Wood are working on updating the Sewer Ordinance.

D. Recreation and Parks Local Law

E. Sexual Harassment Training-NY State Mandate

All Employees must attend a Sexual Harassment meeting by October 9, 2019. Initial training received through the Livingston County Chamber of Commerce. Mayor Morgan expressed interest in the Village joining as there are many opportunities (training) available through this organization that could benefit the Village.

F. Dog Control Agreement - Local Law Review

MOTION was made by Mayor Morgan to hold a Public Hearing on March 26, 2019 at 7:30 PM, regarding the rescinding of Local Law #1 of 2018 Providing for the Control of Dogs, seconded by Trustee McTarnaghan. Carried 5-0.

G. Budget- Special Meeting being held on March 26, 2019 at 6:30 PM

H. Village aesthetics maintenance review - updates

I. Inventory of property - provided to the Board

J. Parking within Municipality Local Law

Trustee Wilcox stated he discussed further with local business owners about the parking issue at the Village Mall site. Snow plowing and parking spots located on East Street were addressed with further discussion to take place in the future.

Deputy Mayor Snyder mentioned year-round parking from April 1st through November 1st. Concerns are with snow plowing and access to certain roads in the Village due to narrowness need to be considered. The Village Board of Trustees extensively discussed options with parking and other residential parking concerns. To be further discussed at a future date.

MOTION was made by Deputy Mayor Snyder to amend previous Board action of allowing \$1,000 for the purchase of a bicycle and other needed equipment to increase purchase to \$1,500 to match the Town's Board action of March 12, 2019, seconded by Trustee McTarnaghan. Carried 5-0.

MOTION was made Trustee Allen to allow for the Police Chief to surplus old police vehicle, Ford Sedan, through an approved auctioneer, with funding being placed back into the Police Reserve account, seconded by Deputy Mayor Snyder. Carried 5-0.

MOTION was made by Trustee Allen to increase the purchase of protective bulletproof vests for Nunda Police Department police officers from two to three with the understanding the majority of costs will be reimbursed back from both State and Federal organizations, seconded by Deputy Mayor Snyder. Carried 5-0.

Deputy Mayor Snyder praised the Police Chief for his diligence in presenting the bike patrol information to the Boards. Trustee Allen also praised Chief Dale for his work.

Deputy Mayor Snyder also stated that having both Town and Village Board meetings on the same night is working out nicely.

Code Enforcement Officer Mullikin provided his monthly report to the Board.

MOTION was made by Trustee Allen to accept Code Enforcement Officer's monthly report as reviewed, presented, and discussed, seconded by Deputy Mayor Snyder. Carried 5-0.

K. Employee Evaluation Program

Mayor Morgan wanted to have a review of all job descriptions prior to moving forward with this program.

L. 1 Mill Street Flooring

M. CDBG- update

N. WWTP CIP -update

Policy Review

A. Paving Policy

Mayor Morgan stated that the DPW needs to develop a paving policy along with having planning sheets drawn up, and a long-range plan. Deputy Mayor Snyder suggested looking into pricing now for the paving so it can be completed sooner. Superintendent Bennett needs to meet with Clerk-Treasurer Wood for further discussion.

Other Business

A. Job descriptions discussion on updating – provided, to be discussed at a later date with employee.

Communications/Information Items

A. Nunda Community Forum- March 13, 2019 at the Nunda Fire Department 6:00 PM.
Discussion on Drugs and Opiates. Community members will be bringing this topic “into the light” to share how opiate use is increasing and the effects it’s having on our community.

MOTION was made by Mayor Morgan to officially close the Public Hearing on Purposed Local Law #1 of 2019 Open Burning Regulations within the Village of Nunda at 8:36 PM.

Resolution No. 2019-011

BE IT RESOLVED, that the Nunda Village Board of Trustees adopt Local Law #1 of 2019 Open Burning Regulations within the Village of Nunda.

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

MOTION was made to enter into executive session at 8:40 PM, by Deputy Mayor Snyder to discuss personnel concerns, seconded by Trustee Allen. Carried 5-0.

A review of Village Administrator Policy as present by Mayor Morgan was thoroughly discussed.

Resolution No. 2019-012

BE IT RESOLVED, that the Nunda Village Board of Trustees approve and *adopt* the provisions of proposed law for Village Administrator to become policy at this time - as presented, reviewed and discussed. The motion was made by Trustee Wilcox, seconded by Trustee McTarnaghan. Carried 5-0.

Resolution No. 2019-013

BE IT RESOLVED, that the Nunda Village Board of Trustees approve, with the recommendation of Mayor Morgan, the appointment of LeRoy J. Wood as Village Administrator.

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

MOTION was made to exit executive session at 9:00 PM by Deputy Mayor Snyder, seconded by Trustee Allen. Carried 5-0.

Adjournment

With no further business to be discussed, the motion to adjourn was made by Trustee Allen at 9:00 PM. Carried 5-0.

Respectfully submitted,

LeRoy J. Wood
Administrator/
Clerk-Treasurer