

Draft Meeting Minutes for viewing purposes

October 13, 2020

The Organizational Meeting of the Nunda Village Board of Trustees was held on October 13, 2020, at the Nunda Government Center Building, at 6:30PM with the following present:

Mayor: Jack Morgan

Deputy Mayor: Darren Snyder

Trustees: Mell Allen

William McTarnaghan

Dr. Donald Wilcox

Water and Streets Superintendent: Troy Bennett

Waste Water Treatment Chief Operator: Markus Hugi

Planning Board Chairperson: Alex Pierce

Code Enforcement Officer: Mark Mullikin

Administrator/Clerk-Treasurer: LeRoy Wood

Citizens: None

Oaths of Office for Village Justice – Emily Stoufer, Trustees Mel Allen and Dr. Donald Wilcox have been given prior to meeting.

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

Roll Call: Trustee McTarnaghan was absent

Pledge of Allegiance - led by Mayor Morgan

Mayor Morgan welcomed everyone in attendance to the meeting.

Approval of Minutes

A. September 8, 2020

MOTION was made by Trustee Allen to accept the minutes as presents, discussed, and reviewed, seconded by Deputy Mayor Snyder. Carried 4-0.

Reports

A. Police

1. Nunda Police Department Monthly Report-September 2020
2. Damage to Park – suspect identified
3. Firing Range Expenditure

MOTION was made by Trustee Allen to pay, from the Police Fund \$225.00, Stacy Chapman for time and services provided as a firing range safety instructor used to qualify Nunda Police Department Officers, seconded by Trustee Wilcox. Carried 4-0.

4. Personnel concerns with retaining qualified officers looking for full-time

Draft Meeting Minutes for viewing purposes

employment.

5. Recruit Officer Cory Thomas

MOTION was made by Trustee Allen to support the sponsorship of recruit police officer Recruit Officer Cory Thomas for Phase II Police Academy Training, with no obligation to hire once training is completed, seconded by Deputy Mayor Snyder. Carried 4-0.

6. Prospective Officer Matt Moran

MOTION was made by Trustee Allen to allow Chief Dale to pursue, using best interest of the Police Department and judgment, to interview and report back to the Police Commissioners on the interview of Matt Moran for adding this individual to the Nunda Police Department upon Chief Dale's recommendation, seconded by Deputy Mayor Snyder. Carried 4-0.

7. Pay Increases

Much discussion on pay for officers within our region and comparisons were reviewed.

MOTION was made by Trustee Allen to provide, effective October 25, 2020, a pay increase to all officers of \$2.00 more per hour, seconded by Deputy Mayor Snyder. Carried 4-0.

8. Memorandum of Understanding with Sherriff's Office on Town/Village of Nunda Drug Task Force participation.

B. Code Enforcement/Zoning

1. Monthly Report-September 2020
2. Property Maintenance Law being reviewed
3. Concern with vacancies on both the Planning and Zoning Boards-recruitment

C. Waste Water Treatment Plant

1. Departmental Activity Log-September 2020
2. Land spreading within the month
3. Repairs to tanks
4. Clarifier Arm

MOTION was made by Deputy Mayor Snyder to approve repairs to the clarifier arm to the lowest responsible bid as recommended by Waste Water Treatment Chief Operator Hugi, seconded by Trustee Allen. Carried 4-0.

5. Bobcat Tractor for Sewer Plant

Much discussion on replacing current equipment as it is not adequate for the work that requires to be completed. Chief Hugi presented a NYS Contracted Quote for a replacement tractor totaling \$27,483.01, after trade-in of current equipment. A permissive referendum would need to be approved by the Board and posted as this request was not originally budgeted for. Chief Hugi asked about available funding. Reserve funds would need to be utilized for this purchase. Trustee Allen asked to have this request tabled until next month for further discussion.

Draft Meeting Minutes for viewing purposes

D. Water/DPW

1. Departmental Activity Log-September 2020
2. Annual Health Department Inspection was completed.
3. Water samples

Superintendent Bennett stated NYS is mandating additional testing of water for other compounds. The initial testing could be expensive and quarterly. Reduced monitoring in the future could happen.

4. Trees

Deputy Mayor Snyder inquired about trees and rights-of-way. Mayor Morgan stated the Tree Committee should get together, review the current law, and create a plan to plant new trees annually as older trees are being removed because of safety measures.

Superintendent Bennett mentioned costs of removing stumps at this time and working within his budget.

E. Justice

1. Monthly Reports-September 2020

F. Treasurer's Reports

1. Monthly Bank Statement Account-September 2020
2. Collateralization Report-September 2020
3. Monthly Treasurer's Reports-September 2020
4. Payroll - #19 & 20-Certification Review
5. Departmental Activity Log-September 2020
6. Informational CD renewed October 3, 2020 at .25% down from .70% (COVID-19 related)

G. ZBA/Planning Board

H. Youth Recreation

MOTION was made by Deputy Mayor Snyder to accept the departmental reports as given, seconded by Trustee Wilcox. Carried 4-0.

Approval of Invoices

A. Abstract No. 05

The Nunda Village Board of Trustees has reviewed and approved invoices for payment on Abstract no. 05 as follows:

GENERAL(A)	- \$ 12,099.27
WATER (F)	- \$ 2,964.12
SEWER (G)	- \$ 9,904.69
WWTP CIP (H)	- \$ 5,269.50
YOUTH (J)	- \$ <u>.00</u>
TOTAL	- \$ 30,237.58

The **motion** was made by Deputy Mayor Snyder, seconded by Trustee Allen. Carried 4-0.

Draft Meeting Minutes for viewing purposes

New Business

A. CDBG Application Form applicant

Resolution No. 2020-041

WHEREAS, the Village of Nunda has received grant funding from the Office of Community Development in the manner of a Community Development Block Grant, Project No. 831HR350-18, and

WHEREAS, the community can submit an application for said funding for repairs to private residents, **NOW THEREFORE, BE IT RESOLVED** that the Nunda Village Board of Trustees approve the application from Karen Hall residing at 18 Vermont Street, Nunda, New York for Community Development Block Grant funding for repairs to their home as recommended by the Village of Nunda's consultant, Thoma Development Consultants totaling \$33,535.00.

The **motion** was made by Mayor Morgan, seconded by Trustee Wilcox. Carried 4-0.

B. CDBG Drawdown

Resolution No. 2020-042

CDBG No. 831HR350-18 Drawdown No.13

BE IT RESOLVED that the Nunda Village Board of Trustees approve the bills for payment on CDBG No. 831HR350-18 Drawdown No. 13 in the amount of \$66,897.50 once funding has been received for the following vendor list:

Townline General Contractor – (Batlle) \$23,500.00

Townline General Contractor – (Meeusen) \$20,700.00

Townline General Contractor - (Hall) \$5,400.00

Thoma Development Consultants – Program and Administrative Costs \$7,200.00, and Foodlink, Inc \$9,597.50.

The **motion** was made by Deputy Mayor Snyder, seconded by Trustee Wilcox. Carried 4-0.

C. Inter-municipal Agreement Extension with Livingston County

Resolution no. 2020-043

BE IT RESOLVED that the Nunda Village Board of Trustees approves entering into an Intermunicipal Government Agreement Extension with the County of Livingston, New York for machinery, tools, equipment, and service sharing commencing January 1, 2021 through December 31, 2021.

The **motion** was made by Trustee Allen, seconded by Trustee Wilcox. Carried 4-0.

D. Shared Services Agreement with New York State Department of Transportation

Resolution no. 2020-044

BE IT RESOLVED that the Nunda Village Board of Trustees approves entering into a Shared Services Agreement with New York State Department of Transportation for the exchange or lend materials or equipment which shall promote and assist the maintenance of State and Municipal Roads and highways and provide a cost savings by maximizing the effective utilization of both parties resources for a period of two years, beginning November 1, 2020 through October 31, 2022.

The **motion** was made by Trustee Allen, seconded by Trustee Wilcox. Carried 4-0.

E. Halloween – Trick-or-Treat

Draft Meeting Minutes for viewing purposes

Mayor Morgan Proclaims October 31, 2020, Official Halloween to be celebrated on this day for the Village of Nunda. Trick-or-treating will be scheduled from 5:00 PM through 8:00 PM within the village limits. The Village Board recognizes concerns with the pandemic and endorses the use and need to follow current CDC protocols and other measures that remain in place such as physical/social distancing and proper mask wearing requirements.

The **motion** on this proclamation was made by Mayor Morgan, seconded by Deputy Mayor Snyder. Carried 4-0.

F. Schedule Public Hearing for Youth Recreation 2021 Budget

MOTION was made by Trustee Wilcox to have a public hearing on November 10, 2020 for the review and adoption of the 2021 Youth Recreation Budget, at 6:30 PM, seconded by Deputy Mayor Snyder. Carried 4-0.

G. Schedule Public Hearing for update on CDBG Program

MOTION was made by Mayor Morgan to have a public hearing on November 10, 2020 for discussion and update of CDBG Program details as required under this grant provision and to provide governmental transparency to the taxpayers of usage of funds, to be held at 7:00 PM, seconded by Deputy Mayor Snyder. Carried 4-0.

Village Annual business as presented by Mayor Morgan;

APPOINTMENTS as presented by Mayor Morgan:

Deputy Mayor	Darren Snyder
Clerk-Treasurer (18-month appointment)	LeRoy J. Wood
Registrar	LeRoy J. Wood
Deputy Registrar	<i>Vacant</i>
Records Management Officer	LeRoy J. Wood
Assessor	Brian Knapp (Town)
Budget Officer	Mayor Morgan
Code Enforcement / Zoning Officer	Mark Mullikin
Deputy Code Enforcement / Zoning Officer	<i>Vacant</i>
Court Clerk	Sheila Duffy
Historian	Valerie Griffing

LIASONS:

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

Draft Meeting Minutes for viewing purposes

Youth / Parks

Mayor Morgan / Trustee Wilcox

Budget Preparation

Mayor Morgan / Village Board

Code Enforcement

Mayor Morgan / Trustee McTarnaghan

POLICE COMMISSIONERS:

Public Safety / Police

Deputy Mayor Snyder / Trustee Allen

Financial Consultant:

Bernard P. Donegan

Fiscal Advisors & Marketing, Inc.

Financial Depository:

Five Star Bank

Secondary, M&T Bank

Secondary, JP Morgan Chase

Official Newspaper:

Hornell Evening Tribune

Legal Consultant:

Mason Meyer, PLLC

John Vogel

Village Engineer:

MRB Group, P.C.

Clerk's Office Hours:

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

Michele Seifried

Vacant

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

Vacant

Town Members:

Vacant

Daniel Strobel

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

Draft Meeting Minutes for viewing purposes

Nunda Chamber:	Margaret Grosse
Resident:	Gary Paine
Resident:	Cathy Kemp
Mayor:	Jack Morgan
Trustee:	
Alternate Trustee:	
Secretary:	LeRoy J. Wood

MOTION was made by Trustee Wilcox to accept Mayor Morgan's appointments as presented, discussed, and reviewed, seconded by Trustee Allen. Carried 4-0.

Resolution no. 2020-045

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.

Draft Meeting Minutes for viewing purposes

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. Any vote which takes place where a voting member of the Board does not verbally voice their vote, whether ayes or noes, then this will be considered a non-vote or an abstention.

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, 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.

Draft Meeting Minutes for viewing purposes

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.

Draft Meeting Minutes for viewing purposes

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.

The **motion** was made by Trustee Wilcox, seconded by Trustee Allen. Carried 4-0.

Organizational Meeting

Resolution no. 2020-046

BE IT RESOLVED that the next Village of Nunda Organizational Meeting be held April 13, 2021 at 6:30 PM.

The **motion** was made by Mayor Morgan, seconded by Trustee Wilcox. Carried 4-0.

Audit of Claims

Resolution no. 2020-047

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.

The **motion** was made by Trustee Allen, seconded by Trustee Wilcox. Carried 4-0.

Attendance at Schools and Conferences

Resolution No. 2020-048

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.

The **motion** was made by Mayor Morgan, seconded by Deputy Mayor Snyder. Carried 4-0.

Clerk and Permit Fees

Resolution no. 2020-049

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

Draft Meeting Minutes for viewing purposes

The **motion** was made by Mayor Morgan, seconded by Trustee Allen. Carried 4-0.

Depositories

Resolution no. 2020-050

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.”

The **motion** was made by Deputy Mayor Snyder, seconded by Trustee Wilcox. Carried 4-0.

Emergency Management Plans

Resolution no. 2020-051

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, with such changes from NYS or Livingston County policies.

The **motion** was made by Mayor Morgan, seconded by Deputy Mayor Snyder. Carried 4-0.

Old Business

A. Land Acquisition Grant

- 1) Review Strategic Plan
- 2) Review restructured budget
- 3) Review Detailed & Summary Work Plan
- 4) Contract

Administrator Wood provided information as the Village receiving the contract between NYSDEC and the municipality. Next approval will be from the State Attorney Generals Office and then NYS Comptrollers Office.

Resolution No. 2020-052

BE IT RESOLVED that Mayor Morgan approves allowing Administrator Wood the authority to take the necessary actions to help facilitate the required work needed to keep the flow of the Land Acquisition Grant moving forward as in the best interest of the municipality and landowner and to report all actions taken back to the governing board, seconded by Trustee Allen. Carried 4-0.

B. Wayfinding – discussed with meetings to be held in the near future

C. Letchworth Gateway Villages – discussed with meetings to be held in the future

Other Business

Policy Review

Draft Meeting Minutes for viewing purposes

- A. Local Code of Ethics – annual review and discussion
- B. Vehicle Use Policy – discussed extensively with final determination of any changes to be presented at the November 2020 Village Board Meeting.
- C. Employee Policy has been distributed – discussion to take place at the November 2020 Board Meeting along with healthcare policy review/approval

Communications / Informational Items

- A. Mayor Morgan read and distributed Election Certificates to Trustee Allen and Trustee Wilcox with a congratulations provided.
- B. Trustee Allen stated one of the Nunda Police Officers has set-up an account and is donating all wages received at the municipality to help feed community members that need a little help.

Adjournment

With no further business to be discussed, the motion to adjourn was made by Trustee Allen at 8:37 PM. Carried 4-0.

Respectfully submitted,

LeRoy J. Wood
Administrator/
Clerk-Treasurer