

October 17, 2016

**The Regular Meeting of the Nunda Village Board of Trustees was held on October 17, 2016 with the following present:**

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

**Chief Water Operator - Department of Public Works Superintendent:** Troy Bennett arrived at 7:01 P.M.

**Waste Water Treatment Plant Superintendent:** Markus Hugi – arrived at 7:19 PM

**Laborer:** Daniel Strobel

**Clerk-Treasurer:** LeRoy Wood

<b>Citizens:</b>	Ron Adam	Betty Adam	Alex Pierce	Bev Clark
	Gary Brink	Kathy Brink	Brenda Weaver	

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

**Roll Call:** Trustee Morgan arrived at 7:08 P.M.

**Pledge of Allegiance** - led by Mayor Cox

**Visitor's Forum**

Gary Brink read aloud a letter from all residence living on Center Street expressing their sincere appreciation for the work provided by the Department of Public Works in resurfacing their street over the past month. Troy Bennett, Brian Emke, and Dan Strobel were all named specifically for an excellent job done in this paving project.

Betty Adam voiced concern over a past water/sewer bill from February 1, 2016 through April 30, 2016 in that they were charged a full quarter of water and sewer use when they were away for the winter months and returned on April 26, 2016. Mrs. Adam has requested review and relief of a portion of the quarter's water/sewer bill. The total requesting to be waived is \$113.05.

**MOTION** to provide relief of a portion of Ron and Betty Adam's water/sewer bill Account #1299 for billing quarter February 1, 2016 through April 30, 2016 to reflect just four days' water/sewer use and not the entire quarter was made by Trustee Allen, seconded by Deputy Mayor Amrhein. Carried 5-0.

Roy and Nicole Graham presented the address of 44 North Church Street and wanted to know status with this residence. This residence currently has open doors and windows and that the Nunda Police Department has been notified several times. Mayor Cox stated that the Village has created a list of Zombie houses within the community and that in December 2016 - New York State Law takes effect as to the holding banks and other companies responsible for the upkeep and maintenance of these homes - be held accountable.

Mr. Graham stated he just wanted to get the conversation started and that Nunda is not a unique community where this is happening. This is something that is happening all over the County and State. Mayor Cox reiterated that the homes that fall under these circumstances would be placed on a registry with the State for further future assistance.

Mr. Graham thanked the Board for allowing him to speak and voice his concern.

Mr. Graham also inquired about the Park in the Village. Mayor Cox stated that a revised Agreement to Lease has been prepared and submitted to the Village attorney. Once review has been completed with any changes or revisions implemented, the Agreement will be sent to the Trinity Church of Nunda, Inc. for their review and approval. Mayor Cox stated that there were concerns with the first Agreement.

Mr. Graham stated that the Park was a nice benefit of living in the Village.

**Approval of Minutes**

*A. September 13, 2016*

Meeting minutes were presented with Trustee Morgan requesting a for a second time that the Trinity Church of Nunda, Inc. be added to the heading of these minutes as a Joint Member of this meeting. Clerk-Treasurer Wood stated that the Trinity Church of Nunda, Inc. was not placed in the heading as a participating member because the church is not a public body. Clerk-Treasurer Wood read aloud a portion of NYCOM minutes & meeting procedures that there is no State statutory requirement that a municipal clerk record the remarks of an individual made during an open meeting or an executive session merely because the speaker so requests. Without a resolution or board directive requiring the clerk to include more information in the minutes, a trustee or council member may not require the clerk to correct or amend the minutes to include any more detailed information. Boards and councils interested in expanding the scope of what is included in the minutes should amend their rules of procedure to outline the clerk’s additional duties.

Clerk-Treasurer Wood stated he has presented the meeting minutes as such and that any change would require a resolution from this board. Trustee Morgan stated that the statement by Clerk-Treasurer Wood does not apply in this situation. Deputy Mayor Amrhein stated we have not approved these minutes so we would not have to pass a resolution to change these minutes.

**MOTION** was made by Trustee Snyder to approve the meeting minutes with the addition of Trinity Church of Nunda, Inc. added to the heading of the meeting minutes and also to place in the meeting minutes that the Town of Nunda did attend meeting with no input, seconded by Trustee Allen, carried 4-0 (Trustee Morgan abstained).

*B. September 28, 2016*

Meeting minutes were presented with the following change requested by Deputy Amrhein, in the Old Business section of these minutes after sentence ending in general maintenance of the Park, add, “But would be incurring large cost of repair to fence and gazebo in future and would be looking for help from the church”. And, place the following sentence in the same section after sentence ending Park back up and running, add “Reverend Duttwieller stated church would be helpful in any way to offset costs with fundraising, etc.”.

**MOTION** to approved these meeting minutes with the listed changes was made by Trustee Morgan, seconded by Trustee Snyder. Carried 5-0.

**Approval of Invoices**

The Nunda Village Board of Trustees has reviewed and approve invoices for payment on Abstract no. 1 as follows:

A. Abstract no. 1

GENERAL -	\$ 45,536.59
WATER -	\$ 17,061.50
SEWER -	\$ 7,338.28
YOUTH-	\$ 9.97
<b>TOTAL –</b>	<b>\$ 69,946.34</b>

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

**Reports**

*A. Police*

1. Monthly Report – September 2016
2. Town of Nunda Budget Report – September 2016
3. Payroll Reports – not provided

Deputy Mayor Amrhein mentioned the meet and greet the Nunda Police Department conducted over the previous weekend. Quite a few people were there and replaced children’s car seats.

Councilperson Mann is looking on the Town side of the increase in the insurance. Trustee Snyder stated the extra insurance should go to the Town to absorb in to the budget.

Mayor Cox inquired about the Police vehicle purchase.

Trustee Snyder stated there is a wait on the purchase. The Tahoe currently has 87,000 miles and that the commissioners did not want to wipe out the fund balance.

Deputy Mayor Amrhein stated the Police Department needs to do the general up keep on this vehicle.

*B. Code Enforcement/Zoning*

1. Monthly Report – September 2016

*C. Sewer*

1. Nothing back on any grant opportunities
  2. Land spreading awaiting laboratory results as to when this can occur
- Clerk-Treasurer Wood did contact the County Grant Writer inquiring about Sewer Grants that may be available. Heather Grant stated that the Grants for this year have past and that next July is when we could have a possibility of submitting for a grant.

*D. DPW*

1. September 2016 Calendar provided
2. Center Street/North Church Street completed – milled and resurfaced
3. Leaf pick-up beginning
4. Under carriage of the six-wheeled dump truck and the Village work truck have been undercoated
5. Additional equipment place in the RTI Auction sold for approximately \$885.

*E. Water*

1. Department of Health inspection was held on October 17, 2016
2. Daniel Strobel did a walk through with Department of Health in completing his final requirements for class II-A Water Operator

*F. Justice*

1. Monthly Reports – September 2016

*G. Treasurer's Reports*

1. Monthly Reports – June and July 2016 presented
2. Annual Updated Document was submitted to New York State Comptroller on September 29, 2016 the AUD was emailed and hard copy presented to each Board member. The AUD is also available on the Village Website along with a hard copy for public viewing in the Clerk-Treasurer's office.

*H. ZBA/Planning Board*

Alex Pierce discussed the recent Livingston County Planning Board Meeting held on October 13, 2016. One of the items discussed at this County Meeting was the Joint Village/Town of Nunda Zoning Law. The County believed that the Village should tighten up the Zoning Law and that the proposed law should coincide/align with the Village's Comprehensive Plan.

Mayor Cox asked Alex Pierce what his recommendation is at this time for moving forward with adopting this law or holding off and tightening up this law. Alex Pierce recommend passing the law with the caveat of revisiting the list of recommendations the County has provided in the spring and move forward with the corrections at that time.

Mayor Cox thanked Alex Pierce for his time and input to the Board.

*I. Youth Recreation*

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

**New Business**

*A. Genesee Valley Educational Partnership - Keshequa Central Student Anthony Dietz*

**MOTION** was made that the Nunda Village Board of Trustees approve the Genesee Valley Educational Partnership Student Work Experience Program between Keshequa Central School Student Anthony Dietz and the Village of Nunda.

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

*B. Halloween Date/Time for trick-or-treaters*

**MOTION** that the Nunda Village Board of Trustees declares that Trick-or-Treating will be allowed from 6-8 P.M. on Monday, October 31, 2016, this day only.

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

## **Old Business**

A. *Adoption of Local Law No. 1 of 2016 – Joint Village/Town Zoning Law*

### **Resolution No. 2016-138**

**BE IT RESOLVED**, that the Nunda Village Board of Trustees adopt Local Law No. 1 of 2016 – Joint Village/Town Zoning Law as presented.

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

B. *Water Law* - Deputy Mayor Amrhein stated this is still in the working process.

C. *NYS CDBG Project # 831PW147-11* – Response received – Final Response required

D. *FEMA* – Update on Melodee Lane portion of projects – Response received with no approval for additional funding for Melody Lane drainage

E. *Annexation – Village Well* – Barry Carestio, Surveyor, has requested a copy of the abstract for property to the north of the Village Well Site for additional help in determining the actual property lines. There is some ambiguity in the actual property lines of the Village Well Site. An Abstract will be requested through one of two abstract companies located at the Livingston County Government Center in Geneseo, NY.

F. *Garbage Collection in Nunda* - Trustee Allen presented information from neighboring townships as to this service that is provided for a fee. Additional information has been requested from Board members with an update to be presented at the next regularly scheduled Board meeting in November.

G. *Insurance* – Police Professional Liability – The Town of Nunda is lead agency with any incoming invoices for the Joint Police Department to be paid through the Town.

H. *Zombie House Listing* - Mayor Cox has requested a listing of properties in the Village that could qualify as a Zombie House to be researched and placed on a list for future New York State assistance. Effective December 2016, a New York State Law on Zombie House responsibility should help the Village in holding parent companies, property owners, or banks accountable for the upkeep and managing of these types of properties.

I. *Park* - Mayor Cox stated that the Agreement to Lease the Park from the Trinity Church of Nunda, Inc. has been sent to the Village Attorney for review.

J. *RTI Auctions* – The 1950 Farmall Tractor and 1987 Backhoe with buckets were sold at auction for \$11,520.00. The funds received for these sales was placed into the General Savings Equipment Reserve Account for future equipment purchases.

## **Other Business**

Trustee Snyder requests a Recognition Letter or Letter of Thanks be sent to Mr. Matt Gelser for his role in making sure *each child* at the Dalton Elementary School receive a pumpkin of their own this year in celebration of the season. Trustee Snyder also mentioned that Mr. Gelser talked with the children and discussed the planting of popcorn in the spring and to have the children come and watch their crop grow this spring. Trustee Snyder mentioned the kids just loved the whole experience.

**MOTION** was made by the Nunda Village Board of Trustees to send Mr. Matt Gelser a Letter of Thanks for his continued community commitment to our local children.

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

## **Communications/Information Items**

A. Calendar – October and November 2016

B. Fall Regional Local Government Workshop-Planning/Zoning Board, November 16, 2016

## **Adjournment**

With no further business to be discussed, the motion to adjourn was made by Deputy Mayor Amrhein, seconded by Trustee Snyder at 8:24 PM. Carried 5-0.

Respectfully submitted,

LeRoy J. Wood  
Clerk-Treasurer