

October 8, 2019

**The Regular Meeting of the Nunda Village Board of Trustees was held on October 8, 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 6:58 PM  
**Code Enforcement/Zoning Officer:** Mark Mullikin arrived at 6:42 PM  
**Police Chief:** Ryan Dale  
**Planning Board Chairperson:** Alex Pierce  
**Administrator/Clerk-Treasurer:** LeRoy Wood

**Town Highway Superintendent:** Rick Moran arrived at 5:58 PM

**Citizens:** 9 Keshequa Central School students      Patty Piper      Gary Nageldinger  
Sheila Piper and husband

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

**Roll Call:** All present

**Pledge of Allegiance:** Led by Trustee McTarnaghan

**Visitor's Forum:** Mayor Morgan welcomed all visitors.

Patty Piper representing Greater Nunda Action Partnership (GNAP) discussed programs mission, goals, membership, different areas of program coverage, business development, community and cohesion, their meeting nights.

Gary Nageldinger, President of GNAP, discussed getting more people involved with program, support of potential new business opportunities, Art Walk, Inspiration Trail, and ways to help the Village grow.

Mayor Morgan thanked both Patty and Gary for their presentation. Mayor Morgan also mentioned getting the local youth involved with possible membership being waived for the youth.

Alex Pierce mentioned the updating of the Town/Village Comprehensive Plan. A series of community events will be taking place in the future with the first one next week in discussing Agriculture in the Community. Community feedback on market sector will be looked into.

Mayor Morgan thanked Alex for his information.

### **Approval of Minutes**

A. September 10, 2019

**MOTION** was made by Deputy Mayor Snyder to approve the minutes as *presented, discussed, and reviewed*, with some grammatical corrections, seconded by Trustee Allen. Carried 5-0.

### **Reports**

A. *Police*

1. Nunda Police Department Monthly Report – September 2019

Chief Dale mentioned working with Once Again Nut Butter in local fund-raising plans.

Car seat check scheduled for community.

Protective Vest Grant has been approved.

1 Mill Street - Police Department - flooring project completed.

Chief Dale and Police Commissioner Allen have been in contact with the Police Attorney, Mr. Campbell to discuss local laws in reference to traffic safety measures that can help benefit the community.

**MOTION** was made by Trustee Allen to allow Police Attorney Mr. Campbell to pursue work involved in reviewing vehicle and traffic safety laws to help benefit the community, seconded by Deputy Mayor Snyder. Carried 5-0.

**MOTION** was made by Trustee Allen to accept Officer Phil Bauers resignation with thanks and regrets, seconded by Deputy Mayor Snyder. Carried 5-0.

Tentative Budget for the Police Department has been submitted with a few changes after the Police Commissioners Meeting held on October 7, 2019.

Mayor Morgan asked Chief Dale if he were willing to have a community forum on the 2020 Police Budget and the changes to State laws that will have an impact on local police departments. The Police Budget is increasing significantly this next year with the anticipation of additional

administration hours allocated to enforcing the new set of laws that will take effect January 1, 2020.

Community member Sheila Piper spoke up about neighbor and smoke from a stove causing concern for her and her family. Nunda Police and Livingston County Sheriff's Department have been called several times to address this situation. The local burning law does not apply to this concern because the smoke is coming from an authorized stove in a barn used to heat this structure. Chief Dale stated he has been to both the Piper's and their neighbor and it has been noted, the neighbor is burning wood in the stove located in the barn structure. Sheila Piper thanked Chief Dale for his help in trying to find a resolution. Chief Dale stated he would like to redefine the agreement between both parties. Burning has been taking place both in the summer months and now as it begins to become colder at night.

Mayor Morgan thanked both sides and wanted an update as to the situation in the future. Mayor Morgan also stated a noxious gas law and health hazards.

*B. Code Enforcement/Zoning*

1. Monthly Report – September 2019

*C. Waste Water Treatment Plant*

1. Departmental Activity Log provided for September 2019
2. Land spreading samples have been submitted for analysis
3. Chief Hugi stated he and Deputy Mayor Snyder met with the Village Engineer at MRB Group to discuss current WWTP CIP. The two also took a tour of the Honeoye Falls new WWTP along with the new ultraviolet mechanisms to be installed at the Village of Nunda's WWTP.

Chief Hugi also stated the electrical engineer was at the WWTP to ascertain the new plant electrical requirements of the CIP.

*D. Water/Department of Public Works*

1. Departmental Activity Log not provided for September 2019
2. Striping Update
3. Sidewalk Plan
4. Crooked Brook-DEC/Livingston County

Superintendent Bennett stated he spoke with a Livingston County representative on the Crooked Brook flooding concerns. This representative stated that the Village could go into Crooked Brook and remove debris such as trees and stumps so long as homeowner approval was granted. Any alterations to the brook itself would need NYSDEC review and approval before any action.

Mayor Morgan instructed the Administrator to formulate a letter to the residents involved in the flooding with an update of the concern and that further research is still being conducted. This is difficult because the NYSDEC regulates the water in the brook and the homeowner does have some responsibility as to keep area clean.

Superintendent Bennett stated wedging was completed on South Walnut and Seward Streets.

**MOTION** was made by Deputy Mayor Snyder to have any monies returned to the Village from most recent auction that includes the Village Dump Truck be placed into the General Fund – Equipment Reserve Account for future purchases of equipment for the municipality, seconded by Trustee Allen. Carried 5-0.

Trustee Allen stated that at the Police Commissioners Meeting it was decided to auction off the two older police vehicles with those monies being returned to the Police Car Reserve Account.

Mayor Morgan asked Superintendent Bennett the status on handicapped accessible parking spaces in municipal parking lots. Superintendent Bennett asked the Mayor if he had dimensions of the specific requirements of the spaces. Mayor Morgan stated he would be more than happy to provide Superintendent Bennett with the information so as he can review what is marked at the municipal parking lots and make any adjustments if necessary.

#### *E. Justice*

1. Monthly Reports – September 2019

#### *F. Treasurer's Reports*

1. Monthly Treasurer's Report – September 2019
2. Monthly Bank Statement Account – September 2019
3. Collateralization Report – September 2019
4. Payroll #19 and #20 - Certification Review
5. Departmental Activity Log provided for September 2019
6. Certificate of Deposit was renewed at 0.7%

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. Administrator/Clerk-Treasurer Wood stated concerns with spending at this point.

Administrator/Clerk-Treasurer Wood stated the State Comptroller has an audit plan for the Board

to review the Clerk-Treasurers work. Mayor Morgan asked if this was like the Village Justice Annual Report. Administrator Wood stated it is close to the Justice Report, however, a more-hands on approach with all of the Board members would be welcomed. This to be researched and discussed in the near future.

H. *ZBA/Planning Board*

1. Zoning Board Meeting minutes from September 26, 2019 provided for review.

I. *Youth Recreation*

1. Budget preparation/review/adoption

Administrator/Clerk-Treasurer Wood provided a copy of next year's Youth Recreation Budget.

Administrator Wood asked to have a public hearing on this budget set for November 2019 because the Village of Nunda is the lead agent in this program.

**MOTION** was made by Deputy Mayor Snyder to schedule and hold a Public Hearing on the Youth Recreation Budget for 2020 to be held on November 12, 2019 at 6:45 PM, seconded by Trustee McTarnaghan. Carried 5-0.

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

**Approval of Invoices**

A. Abstract No. 005

The Nunda Village Board of Trustees has reviewed and approve invoices for payment on Abstract no. 005 as follows

GENERAL(A)	- \$	8,541.84
WATER (F)	- \$	5,611.98
SEWER (G)	- \$	7,062.03
YOUTH (J)	- \$	.00
WWTP CIP (H)	- \$	<u>4,185.80</u>
TOTAL-		\$ 25,401.65

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

**Resolution No. 2019-026**

CBDG Drawdown No. 1: \$7,500.00

**BE IT RESOLVED** that the Nunda Village Board of Trustees approve the bills for payment on CBDG Drawdown No. 1 in the amount of \$7,500.00 once funding has been received. The motion was made by Trustee Allen, seconded by Deputy Mayor Snyder. Carried 5-0.

**Resolution No. 2019-027**

CBDG Drawdown No. 2: \$3,000.00

**BE IT RESOLVED** that the Nunda Village Board of Trustees approve the bills for payment on CBDG Drawdown No. 2 in the amount of \$3,000.00 once funding has been received. The motion was made by Deputy Mayor Snyder, seconded by Trustee Allen. Carried 5-0.

**New Business**

A. CDBG Application Forms (3) applicants

**Resolution No. 2019-028**

**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 Lawrence and Pamela Lennox residing at 8 Center 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 \$27,560.00. The motion was made by Trustee Allen, seconded by Trustee McTarnaghan. Carried 5-0.

**Resolution No. 2019-029**

**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 Raymond and Elizabeth Denby residing at 24 West 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 \$34,155.00. The motion was made by Trustee Wilcox, seconded by Deputy Mayor Snyder. Carried 5-0.

**Resolution No. 2019-030**

**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 Nancy Genova residing at 4 South Church 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 \$24,585.00. The motion was made by Trustee Allen, seconded by Trustee McTarnaghan. Carried 5-0.

- B. CDBG Review of all application submissions list
- C. Water/sewer bill adjustment account #1070 decrease \$113.80

**MOTION** was made by Trustee Wilcox to reduce water/sewer bill \$113.80 on Account #1070 for overcharging on most recent invoice, seconded by Trustee Allen. Carried 5-0.

- D. Records Management Disposal of Records according to MU-1

**Resolution No. 2019-031**

**BE IT RESOLVED**, that the Nunda Village Board of Trustees approve Records Management Officer/Administrator Wood to dispose of all Village records according the MU-1 Schedule as *presented*, along with all future records when they become available for disposal so long as a listing of records for destruction is kept on file for review.

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

- E. Adjustment to Water/Sewer Account #1801

Superintendent Bennett stated owner Lloyd Kirwan, 16 North State Street, Unit #201, had a concern with one of his apartments reading an excessive amount of water use. Superintendent Bennett stated he spoke with Administrator Wood about conducting another meter reading. Superintendent Bennett read the meter again with still an enormous amount of water flowing through the water meter as read. Reports were generated showing these findings. Superintendent Bennett recommended replacing meter and conducting additional readings of this location to ascertain water use. The meter was replaced. Readings show a nominal use of water at this location at this time. Superintendent Bennett and Administrator Wood agree because of possible equipment malfunction, according to the municipality local law, the last water bill should be adjusted accordingly. Both Bennett and Wood agree to have the user pay for use at the minimum cost as there is only one person living at this location.

**MOTION** was made upon the recommendation of Superintendent Bennett to reduce water/sewer bill account #1801 from \$473.80 to \$154.76, a reduction in \$319.04.

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

**Old Business**

- A. Local Traffic Laws
- B. Inventory of property-tabled
- C. Evaluation Program-Job Descriptions-tabled

- D. Sewer Ordinance-to be completed once WWTP upgrades are finished
- E. Tax abatement discussion w/Town (committee)

### **Policy Review**

- A. Employee Policy distributed and will be discussed at November 2019 Board Meeting

### **Communications/Information Items**

- A. Gazebo

Trustee McTarnaghan stated several times now he has seen kids riding their bicycles up and into the gazebo and then down the stairs of the structure. Trustee McTarnaghan asked to have No Bicycles Allowed sign placed at the entrances of the gazebo. Administrator Wood stated he and Superintendent Bennett can research and order the signs.

### **Other Business**

- A. Crosswalks

Discussion on adding two crosswalks to the Village street was again discussed. Mayor Morgan and Trustee McTarnaghan ascertained pricing for equipment needed. Contact with NYSDOT will need to take place as to discuss the Villages requirements and ability to provide safe walking measures for the citizens of the community.

- B. Feral Cats
- C. Safe Access to Schools Grant
- D. Memorial for veterans
- E. Kiwanis Sidewalk
- F. Library expansion
- G. Community Choice Aggregate

### **Resolution No. 2019-032**

**BE IT RESOLVED**, the Nunda Village Board of Trustees agrees to not participate in the Community Choice Aggregate Program at this time as to not require local residents to lose choice on who their utility provider will be.

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

- H. Executive Session

**MOTION** was made by Deputy Mayor Snyder to enter into executive session, at 9:14 PM, for the discussion of personal matters, the motion was seconded by Trustee Allen. Carried 5-0.

**MOTION** was made by Trustee Allen to exit executive session, at 9:25 PM, the motion was seconded by Trustee Wilcox. Carried 5-0.

### **Adjournment**



With no further business to be discussed, the motion to adjourn was made by Trustee Allen at 9:25 PM, seconded by Trustee McTarnaghan.

Respectfully submitted,

LeRoy J. Wood  
Administrator/  
Clerk-Treasurer