

October 9, 2018

**The Regular Meeting of the Nunda Village Board of Trustees was held on October 9, 2018, at the Nunda Government Center Building, at 6:31 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 6:36 PM  
**Chief of Police:** Ryan Dale  
**Code Enforcement/Zoning Officer:** Mark Mullikin  
**Planning Board Chairperson:** Alex Pierce  
**Planning Board Member:** Joe Lindstrom  
**Clerk-Treasurer:** LeRoy Wood

**Citizens:** Tom Cook Ron Adam Annette Marano Kelly Lathom

**Mayor Morgan** - called the meeting to order at 6:31 PM

**Roll Call:** All Board members present

**Pledge of Allegiance:** led by Mayor Morgan

#### **Visitor's Forum**

Tom Cook - discussed the hard work provided through the Oakwood Cemetery Association on J-Section of the cemetery. The concern is a drainage ditch on the north side of the cemetery with water coming into the ditch from Melodee Lane, Galton tile drainage, and roadway run-off. The cemetery put up a cement/concrete wall which has fallen in recently. Mr. Cook provided pictures to the Board on the erosion that has occurred. Mr. Cook has safety concerns with the erosion. Mr. Cook wanted to know if there was a way for the Village to manage this ditch.

Superintendent Bennett mentioned that the ditch is on private property and not within the Village's jurisdiction.

Mr. Cook mentioned the Cemetery Association would be more than happy with help in placing a pipe in this location to protect cemetery property.

Superintendent Bennett recommended contact Livingston County Soil and Water Conservation for help on this matter.

Mr. Cook thanked the Board for their time and wanted to get this concern on record and to pursue additional help on this subject.

Kelly Lathom - discussed the measures still needed for the Waste Water Treatment Plant Capital Improvement Project. Bond Counsel Agreement and a revision to the original SEQR Resolution were discussed. Kelly mentioned that a special meeting of the Board would need to be scheduled to adopt the Bond Counsel Resolution and financial application. Measures that still need to be completed are a permissive referendum period and estoppel period of time, only after the Bond Resolution has taken place.

Annette Marano – mentioned a tree located at 13 Buffalo Street in the Village. The tree is pushing up the cement sidewalk creating a safety hazard. Ms. Marano stated she has placed a purchase offer in on the home located near this address.

Mayor Morgan contacted DEC and that the tree in this location is a healthy tree.

Ms. Marano stated she intends to put a driveway at this location to the property and that the tree is in the path of the driveway.

Superintendent Bennett mentioned he would contact a tree removal service about this tree.

Mayor Morgan stated due to the time of year and the weather becoming colder, the Village would do their very best in rectifying this concern.

Ms. Marano also stated that at 7 Fair Street the neighbor has several pieces of farm equipment, vehicles, and other household equipment strung out all over the yard, and the yard is messy.

Mayor Morgan asked the Code Enforcement Officer Mullikin to take a look at this property and to use the Local Law in any determinations of actions that may need to be taken.

Alex Pierce- mentioned the Planning Board is still working hard on the Joint Comprehensive Plan. Chairperson Pierce also stated the Board was working on an Introductory Questionnaire possibly through Survey Monkey which would provide feedback on several key areas within the community.

Mayor Morgan asked about the Survey Monkey or hard copy provision of this Questionnaire. Chairperson Piece stated the survey would be available in both formats for the community to have the opportunity to contribute. Chairperson Pierce thanked the Board for their time.

Deputy Mayor Snyder read aloud a *Letter of Appreciation* for sidewalk improvements throughout the Village thanking the entire Department of Public Works personnel by name, from Keith and Janice Donovan.

Mayor Morgan thanked Superintendent Bennett and his staff for their efforts and hard work. Mayor Morgan directed the Clerk-Treasurer to make copies of this Letter and to place the copy in each of the personnel records of these employees.

### **Approval of Minutes**

A. September 10, 2018

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

### **Approval of Invoices**

A. Abstract No. 010

The Nunda Village Board of Trustees has reviewed and approve invoices for payment on Abstract no. 010 as follows:

GENERAL -	\$ 14,659.51
WATER -	\$ 12,722.59
SEWER -	\$ 6,298.23
YOUTH-	\$ 13.07
WWTP CIP	<u>\$ 2,185.75</u>
<b>TOTAL –</b>	<b>\$ 35,879.15</b>

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

## **Reports**

### *A. Police*

1. Nunda Police Department Monthly Report - September 2018
2. Community Policing Reports – September 2018
3. Payroll August & September 2018
4. Police Commissioner Board Meeting Minutes – September 17, 2018 draft
5. Police Commissioner Board Meeting Minutes – October 1, 2018 draft
6. Police Abstract for review

Police Chief Dale stated a concern with the computers within the Police Department as a whole. The required computer work and reporting processes by the Police Department are not being able to be completed correctly due to outdated software and operating systems.

**MOTION** was made by Trustee Wilcox to allow the Police Chief Dale to inquire with local vendors on computer related requirements for his Department and to provided information to the Police Commissioner's at their next scheduled meeting, October 22, 2018, seconded by Trustee McTarnaghan. Carried 5-0.

Police Chief Dale has asked for budget modifications to his budget. Police Commissioners did approve this action at their last Commissioner's Meeting.

**MOTION** was made by Trustee Wilcox to approve *budget modifications* of the Police Department 2018 Budget, as discussed thoroughly and presented by Police Chief Dale as follows;

From Account #SP3120.4A	Ammo & Supplies	\$ 2,000.00
From Account #SP3120.4N	Training	\$ 750.00
To Account #SP3120.4O	Uniforms	\$ 2,750.00

seconded by Trustee Allen. Carried 5-0.

**MOTION** was made by Trustee Allen to recommend the hiring of Jeff Weidrick at \$20.00 per hour as a Police Officer for the Joint Town/Village Police Department, due to his extensive professional experience and contingent upon both municipality governing boards approval, as discussed and with approval from Police Chief Dale, seconded by Deputy Mayor Snyder. Carried 5-0.

Deputy Mayor Snyder mentioned the scheduled Special Meeting of the Joint Village/Town Police Department Board to discuss budgetary matter of the Police Department for the year 2019, to be held Monday, October 22, 2018 at 6:00 PM.

### *B. Code Enforcement/Zoning*

1. Monthly Report – September 2018

### *C. Sewer*

1. Update on WWTP Project
2. Sludge removal services update
3. Conveyer purchase discussion

### *D. Department of Public Works*

1. Superintendent Bennett to contact Troy Sampson at NYSDOT to discuss holdover of CHiPS funding until spring.
2. B. Emke injury update.
3. Part time Laborer hire.

Superintendent Bennett contacted Mayor Morgan about the B. Emke injury.

Superintendent Bennett informed Mayor Morgan of his hiring of Ray Houtz Sr. as a temporary part time laborer.

**MOTION** was made by Deputy Mayor Snyder to advertise and collect applications for a part time Laborer for the Department of Public Works as reviewed and discussed with Superintendent Bennett, seconded by Trustee Wilcox. Carried 5-0.

E. *Water*

1. Water Plant Roof Status – None at this time.

F. *Justice*

1. Monthly Reports – September 2018

G. *Treasurer's Reports*

1. Monthly Treasurer's Reports – September 2018
2. Monthly Bank Statement Accounts – September 2018 provided and discussed
3. Collateralization Report – September 2018 – not received

Clerk-Treasurer Wood provided a copy of the September 2018 bank statements to each Village Board of Trustees member.

Thorough discussion of **each** account 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** and were discussed thoroughly.

Each reserve account was reviewed and discussed with the Village Board.

4. Payroll #18 Certification provided for review and discussion.
5. Payroll #19 Certification provided for review and discussion.
6. Payroll #20 Certification provided for review and discussion.
7. Village Certificate of Deposit has matured. With *much* discussion between the Village and the municipal banking institution, this year's interest rate was negotiated to be 0.70%, as compared to the past two years of being 0.25%.

H. *ZBA/Planning Board*

1. September 4, 2018, Planning Board Meeting Minutes provided for review
2. September 18, 2018, Planning Board Meeting Minutes provided for review
3. September 26, 2018, Zoning Board Meeting Minutes provided for review

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 Trustee McTarnaghan. Carried 5-0.

**New Business**

A. Public Hearing on Community Development Block Grant was opened by Mayor Morgan at 8:11 PM, for the discussion on residential participation, criteria, economic opportunities, potential construction and rehabilitation possibilities, and funding available through this development block grant program.

B. Declaring Nunda Be Well in Livingston County Community

Deputy Mayor Snyder read aloud the following;

I move to direct and empower the Mayor to proclaim the Village of Nunda, New York a "Be Well Community", and to encourage all residents of the Village to eat better, move more, and stress less and to participate in the many programs and activities brought to us by "Be Well in Nunda".

**Resolution no. 2018-040**

**BE IT RESOLVED** that the Nunda Village Board of Trustees approves and directs the Mayor of the Village of Nunda to proclaim the Village of Nunda, New York a “Be Well Community”, and to encourage all residents of the Village to eat better, move more, and stress less and to participate in the many programs and activities brought to us by “Be Well in Nunda”. The motion was made by Mayor Morgan, seconded Deputy Mayor Snyder. Carried 5-0.

C. Budget Modifications

From A1620.4 Buildings	\$1,125.00	
To A1210.4 Mayor		\$1,000.00
A1340.4 Budget		\$ 125.00
From A9010.8 State Retirement	\$ 125.00	
To A9040.8 Worker’s Compensation		\$ 125.00
From G8130.4 Sewage Treatment & Disposal	\$ 895.00	
To G8130.2 Equipment		\$ 895.00
From G9010.8 State Retirement	\$ 125.00	
To G9040.8 Worker’s Compensation		\$ 125.00
From F9010.8 State Retirement	\$ 125.00	
To F9040.8 Worker’s Compensation		\$ 125.00

**MOTION** was made by Trustee Allen to approve the budget modifications as presented by the Clerk-Treasurer, with the understanding that no one shall give rise to a claim unless appropriated funding is available for such claim, seconded by Deputy Mayor Snyder. Carried 5-0.

D. Certification of Offices for March 2019 Election

There is one Trustee position that will be added to the March 2019 Village Election.

E. Review Fiscal Stress Monitoring System from NYS

The Village of Nunda for 2017 earned a “No Designation” rating from the NYS Comptroller Office.

Town Councilperson Hillier entered meeting and asked to discuss Police Department matters.

As discussed at the concurrent Town Board Meeting, Councilperson Hillier mentioned the Town approving the Police Commissioner’s to *act upon information and approve* computer purchases for the Joint Village/Town Police Department after review and thorough discussion with Police Chief Dale; at the next Police Commissioner’s Board Meeting.

Police Chief Dale was directed to contact another municipality within Livingston County for guidance and to use an approved list of vendors to strategically plan corrective actions related to any and all computer requirement software and operating system issues within the Police Department.

**MOTION** was made by Trustee Wilcox to allow the Joint Village/Town of Nunda’s Police Department - Police Commissioner’s to make a formal purchasing decision on required computer equipment, at the next Police Commissioner’s Board Meeting, which would allow the Joint Police Department to be within New York State guidelines in reporting procedures on police related matters, seconded by Trustee McTarnaghan. Carried 5-0.

F. Review Application of Prospective Employee

G. Grates within Village

A local resident contacted the Village about concerns with grates being lifted from growing roots of trees and mulch throughout the municipality causing a safety issue. The concern is considered a tripping hazard. Mayor Morgan stated a review of locations of these grates will take place and potential removal of these trees will need to be conducted.

H. Reduce Water/Sewer Account #1027

**MOTION** was made by Trustee Allen to reduce Water and Sewer Account #1027, by \$130.13, as this account was overbilled for an extra water and sewer unit during this billing period, seconded by Trustee Wilcox. Carried 5-0.

I. Snow & Ice Control Resolution-Shared Service with Livingston County

**Resolution no. 2018-041**

**BE IT RESOLVED** that the Nunda Village Board of Trustees approve that the agreement which became effective July 1, 1974, between the County of Livingston and the Village of Nunda, relating to the control of snow and ice on the State Highways within the Village, and such adjacent territory within said County as might be agreed upon by the County and the Village Superintendent of Streets, and the changes and modifications of said agreement heretofore approved by this Village, be and the same hereby are extended for an additional period of one year, until June 30, 2020. The motion was made by Mayor Morgan, seconded by Deputy Mayor Snyder. Carried 5-0.

**Old Business**

A. Compensatory Time-Off removed from Employee Policy - tabled

B. Village Park Rules Sign – Trustee Wilcox delivered to local vendor

C. Shared Services Agreement – Nunda Government Center

D. Discussion on burning procedures

A proposed copy of a Local Law was presented for review with action to be taken at the next regularly scheduled Village Board Meeting.

E. Mortar work at 1 Mill Street

Deputy Mayor Snyder discussed the concern of both 1 Mill Street and the Nunda Government Center buildings and the blue stone work needed. Deputy Mayor did also discuss this concern with the Town Highway Superintendent Moran. A vendor from Dansville was mentioned as to being able to work and preserve both buildings with work being completed in the Spring. A quote will be obtained from this vendor

F. Soliciting Ordinance - tabled

G. Sewer Ordinance - tabled

H. Property and Building Nuisance Law

**MOTION** was made by Mayor Morgan to hold a public hearing on Property and Building Nuisance proposed Local Law on November 13, 2018, 6:30 PM, Nunda Government Center, 4 Massachusetts Street, Nunda, New York, seconded by Deputy Mayor Snyder. Carried 4-0 (Trustee Allen stepped out of meeting, briefly).

I. Moratorium on multi-family and two-family construction homes

**Resolution No. 2018-042**

**BE IT RESOLVED** that the Nunda Village Board of Trustees approve Local Law #2 for 2018, Moratorium on multi-family and two-family construction homes for a period not to exceed one year. The motion was made by Trustee Wilcox, seconded by Deputy Mayor Snyder. Carried 4-0 (Trustee McTarnaghan stepped out of meeting, briefly).

### **Policy Review**

A. Employee Policy Review – tabled

B. Sexual Harassment Training-NYS Mandate of all employees, elected and appointed officials

A rough version of a proposed sexual harassment policy to replace the existing policy was distributed to all Board members. Clerk-Treasurer Wood asked the Board members to review and be able to discuss at the November 13, 2018 regularly scheduled Board Meeting.

### **Other Business**

A. Close Public Hearing

**MOTION** was made by Deputy Mayor Snyder to close the Public Hearing on the Community Development Block Grant for the Village of Nunda at 9:10 PM, seconded by Trustee Wilcox. Carried 5-0.

B. Executive Session

**MOTION** was made by Trustee Wilcox at 9:11 PM to enter into executive session to discuss potential hiring of Ray Houtz Sr., seconded by Deputy Mayor Snyder. Carried 5-0.

**MOTION** was made by Trustee Allen at 9:15 PM to exit executive session, seconded by Deputy Mayor Snyder. Carried 5-0.

**MOTION** was made by Deputy Mayor Snyder to hire Ray Houtz Sr. at \$14.00 per hour as a Temporary Part-Time Laborer working in the Department of Public Works, seconded by Trustee Wilcox. Carried 5-0.

### **Communications/Information Items**

A. Farm to School Grant Program – Letter from Senator Schumer

B. Planning Board Fall 2018 Regional Local Government Workshop - November 14, 2018

### **Adjournment**

With no further business to be discussed, the motion to adjourn was made by Trustee Allen, seconded by Deputy Mayor Snyder at 9:16 PM. Carried 5-0.

Respectfully submitted,

LeRoy J. Wood  
Clerk-Treasurer