

April 11, 2016

The Regular Meeting of the Nunda Village Board of Trustees was held on April 11, 2016 with the following present:

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

Code Enforcement/Zoning Officer: Mark Mullikin
Chief Water Operator - Department of Public Works Superintendent: Troy Bennett @ 7:06 PM
Chief Waste Water Treatment Operator: Markus Hugi @ 8:22 PM
Clerk-Treasurer: LeRoy Wood

Citizens: Maxine Snelgrove Stephen Gelser Alex Pierce

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

Roll Call: All present

Pledge of Allegiance led by Trustee Allen

Oaths of Office administered to newly elected Trustee Jack Morgan and Trustee Mel Allen by LeRoy J. Wood, Village Clerk-Treasurer

Village Appointments by Mayor Cox

Deputy Mayor	Fritz Amrhein
Clerk-Treasurer / Clerk of the Board	LeRoy J. Wood
Deputy Clerk	Vacant
Registrar	LeRoy J. Wood
Records Management Officer	LeRoy J. Wood
Assessor	Brian Knapp (Town)
Code Enforcement / Zoning Officer	Mark Mullikin
Court Clerk	Sheila Duffy
Historian	Valerie Griffing

Committees / Commissioners:

Administrative (Includes insurance, planning, office, phone, computer, data)	Mayor Cox / Trustee Morgan
Public Safety / Police	Deputy Mayor Amrhein / Trustee Snyder
Water	Deputy Mayor Amrhein / Trustee Snyder
Other Utilities (Includes sewer, street, trees, cable)	Trustee Morgan / Trustee Allen
Youth / Parks	Mayor Cox / Trustee Snyder
Budget Preparation	Mayor Cox / Village Board
Code Enforcement	Mayor Cox / Deputy Mayor Amrhein

Financial Consultant: Bernard P. Donegan

Financial Depository: Five Star Bank
Secondary, M&T Bank
Secondary, JP Morgan Chase

Official Newspaper: Hornell Evening Tribune

Legal Consultant: John Vogel
Secondary, Richardson Pullen, P.C.
Secondary, Peter K. Skivington

Village Engineer: Chatfield Engineers, P.C.

Clerk’s Office Hours: M-F 9:00 A.M.- 12:30 P.M. -- 1:00 P.M.- 4:30 P.M.

Village / Town Planning Board

Meet 1st Tuesday of each month, as needed

Village Members:		Town Members:
Joan Schumaker		Chairperson - Vacant
Timothy Cassidy Sr.		Alex Pierce
Maxine Snelgrove		Michele Siefried

Village / Town Zoning Board of Appeals

Public Hearings, as needed

Village Members:		Town Members:
Scott Amidon		Chairperson – Robert Piper
Carolyn Lowell		Shelly Trim
Wayne Dalrymple		Brenda Weaver

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

Nunda Chamber:	Barbara Baldwin
Resident:	Reverend Ron Duttweiler
Resident:	Dorothy Ayotte
Mayor:	Robert P. Cox
Trustee:	Darren Snyder
Alternate Trustee:	vacant
Secretary:	LeRoy J. Wood

Resolution no. 2016-049

BE IT RESOLVED that the Nunda Village Board of Trustees approve the appointments as listed by Mayor Cox. The motion was made by Deputy Mayor Amrhein, seconded by Trustee Snyder. Carried 5-0.

Mayor Cox suggested that the remainder of the Organizational Meeting items be adopted as a Consent Agenda. Mayor Cox asked if any member of the Board had any questions. With **none**, the Mayor declared a Consent Agenda for the remaining Organizational Meeting items.

Rules of Procedure for the Board of Trustees

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 agenda must be prepared by noon on the day of the meeting.

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.

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, if 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.

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.

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 Trustees 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.

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.

Organizational Meeting

BE IT RESOLVED that the next Village of Nunda Organizational Meeting be held April 10, 2017 at 7:00 P.M.

Procurement Policy

BE IT RESOLVED that the existing Procurement Policy has been reviewed and is accepted with no changes.

Audit of Claims

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.

Attendance at Schools and Conferences

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.

Clerk and Permit Fees

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

Depositories

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."

Emergency Management Plans

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, unless NYS or Livingston County change certain criteria in its policies.

Resolution no. 2016-050

BE IT RESOLVED that the Nunda Village Board of Trustees approve the Consent Agenda as presented. The motion was made by Deputy Mayor Amrhein, seconded by Trustee Snyder. Carried 5-0.

Mayor Cox stated he would like his home telephone number added to the Village Website for Village residents to have a greater access

Visitor's Forum

Stephen Gelser – updating Village Board on his intentions of moving forward with hiring a company to bore under Portage Street, State Route 436, Nunda, New York in order to hook into the Village of Nunda's Sewer System. Mr. Gelser asked if and when the scheduled work is to be started that a representative from the Village be made available to help secure a proper hook-up to the system. Mayor Cox stated his appreciation to Mr. Gelser with updating his intentions to the Village Board and that a Village representative would be made available to assist with this project.

Approval of Minutes

A. March 12, 2016

Resolution no. 2016-051

BE IT RESOLVED that the Nunda Village Board of Trustees approve the minutes as presented. The motion was made by Deputy Mayor Amrhein, seconded by Trustee Snyder. Carried 3-0.

B. March 14, 2016

Resolution no. 2016-052

BE IT RESOLVED that the Nunda Village Board of Trustees approve the minutes as presented. The motion was made by Trustee Morgan, seconded by Deputy Mayor Amrhein. Carried 4-0.

C. March 28, 2016

Resolution no. 2016-053

BE IT RESOLVED that the Nunda Village Board of Trustees approve the minutes as presented. The motion was made by Trustee Morgan, seconded by Deputy Mayor Amrhein. Carried 4-0.

Approval of Invoices

A. Abstract No. 10

Resolution no. 2016-054

BE IT RESOLVED, that the Nunda Village Board of Trustees has reviewed and approve invoices for payment on Abstract no. 10 as follows:

GENERAL -	\$ 16,019.53
WATER -	\$ 4,994.77
SEWER -	\$ 5,529.21
YOUTH-	<u>\$ 105.00</u>
TOTAL –	\$ 26,648.51

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

Reports

A. *Police*

1. Monthly Report - March 2016
2. Town of Nunda Budget Report – March 2016
3. Payroll Reports – not received for review

Additional hours for the month were associated with the Field Training Program Nunda Police Department participates in with new recruits.

Placement of an electronic speed sign on Vermont Street for speed control and safety purposes was discussed with action occurring in the near future.

B. *Code Enforcement/Zoning*

1. Monthly Report - March 2016

New York State Attorney General's Office has been contacted with concern on the 42 South State Street property that burned in 2014. Additional efforts have been made and continue to be made by the Mayor, Village Board and Code Enforcement Officer in having all community safety issues and aesthetics remedied.

C. *Sewer*

D. *Department of Public Works*

1. March 2016 Calendar
2. Spring Clean Up Schedule – posted to Village Website

E. *Water*

Deputy Mayor Amrhein and Trustee Snyder have requested another tour of the Water Plant and Village Well Site.

F. *Justice*

1. Monthly Reports – March 2016

G. *Treasurer's Reports*

1. Monthly Reports – March 2016
2. CHIPS & Local PAVE-NY

2016/2017 CHIPS & Local PAVE-NY Funding information has been received with New York State implementing a new program to assist municipalities in additional infrastructure costs

H. ZBA/Planning Board

Resolution no. 2016-055

BE IT RESOLVED 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. Approval to Re-levy outstanding Water/Sewer Bills as of May 1, 2016 onto 2016 Village Taxes;

Resolution no. 2016-056

BE IT RESOLVED that the Nunda Village Board of Trustees authorize the Village Clerk-Treasurer to re-levy any outstanding Water/Sewer Bills as of May 1, 2016 onto the 2016 Village Tax Bills. The motion was made by Deputy Mayor Amrhein, seconded by Trustee Snyder. Carried 5-0.

B. Water vending machine at DPW Building, discussion to increase sale of water price

Resolution no. 2016-057

BE IT RESOLVED that the Nunda Village Board of Trustees authorize a price increase of Bulk Water Purchase, located at the Village of Nunda Department of Public Works Building, from \$ 1.00 to \$ 1.50, effective May 1, 2016. The motion was made by Trustee Allen, seconded by Deputy Mayor Amrhein. Carried 5-0.

C. FEMA – Materials list for Melodee Lane portion

Mayor Cox has requested Department of Public Works Superintendent Bennett compile a list of materials and equipment needed to complete any potential Melodee Lane ditch upgrades.

D. Land survey – DPW Building property – discussion on possible land survey be conducted

E. Annexation – Village Well located at tax map ID# 184.-1-37

Resolution no. 2016-058

BE IT RESOLVED that the Nunda Village Board of Trustees approve the commencement process for Annexation of the uninhabited Village owned territory located in the Town of Nunda adjoining the Village of Nunda, according to New York State General Municipal Law Section 706; property Tax Map Identification Number #184.-1-37, South State Highway Route 408, this location is also known as the “Village of Nunda Well Site”. The motion was made by Trustee Snyder, seconded by Deputy Mayor Amrhein. Carried 5-0.

F. Purchase one bench -within budget parameter

Resolution no. 2016-059

BE IT RESOLVED that the Nunda Village Board of Trustees approve the purchase of one six-foot long bench made from recycled planks from Summit Supply Corporation for the cost of \$ 889.00 including price and shipping. Bench matches previously purchased benches and will be affixed to concrete sidewalk for safety purposes. The motion was made by Trustee Snyder, seconded by Deputy Mayor Amrhein. Carried 5-0.

G. Completion of New York Main Streets Grant Program Letter

H. Local Code of Ethics and General Municipal Code 800 - 809 – distributed to all board members, reviewed and discussed

I. **Public Hearing** - 2016 – 2017 Village Budget

At 8:00 PM Mayor Cox announced the opening of the Public Hearing on the adoption of the 2016-2017 Village Budget. Clerk-Treasurer Wood discussed the receipt of 2017 CHIPS Funding and additional funding under a new New York State Program, Local PAVE-NY. New York State Department of Taxation and Finance was contacted for additional information/guidance on the authorized Tax Levy the Village may collect without penalty. The Village Board of Trustees approve amending the Tentative Budget to reflect the additions of CHIPS and Local PAVE-NY funding to the General Fund Budget. There were no questions or comments from the public.

Resolution no. 2016-060

BE IT RESOLVED that the Nunda Village Board of Trustees adopt the 2016-2017 Budget of the Village of Nunda as follows:

GENERAL FUND:	\$ 611,571.02
SEWER FUND:	\$ 238,408.00
WATER FUND:	\$ 316,465.00
YOUTH RECREATION:	\$ 20,365.00

Grand Total Amount is \$ 1,186,809.02 with \$ 429,547.59 to be raised by taxes for the General Fund at the Tax Rate of \$ 10.33271 per thousand. The Water Debt Charge will increase from \$ 30.75 to \$ 31.62 per quarter, per living unit. The Sewer Debt Charge will decrease from \$ 4.53 to \$ 4.32 per quarter, per Sewer Unit.

With no further discussion to be held, the motion to adopt the 2016-2017 Village Budget and close the Public Hearing was made by Trustee Morgan, seconded by Trustee Snyder. Carried 5-0

Old Business

- A. Nunda Zoning Law: Temporary Structures
- B. Water Law – Updates from committee
- C. Deputy Clerk position
- D. Revised Proposal Chatfield Engineering Waste Water Treatment Plant Capital Improvement Plan

Resolution no. 2016-061

BE IT RESOLVED that the Nunda Village Board of Trustees approve the proposal for the Village of Nunda Waste Water Treatment Plant Capital Improvement Plan at a cost of \$ 7,200.00. The final report on the scope of work/services performed will provide the Village with current infrastructure standing in relation to potential future grants or loan opportunities. The motion was made by Trustee Snyder, seconded by Deputy Mayor Amrhein. Carried 5-0.

Communications/Information Items

- A. Calendar –April & May 2016
- B. Time Warner Cable
- C. Governor Cuomo – Roadway Improvement Project
- D. Governor Cuomo – State Budget Agreement Highlights
- E. Governor Cuomo – Photonics Companies to Invest in Rochester
- F. GFLRPC Spring 2016 Regional Local Government Workshop – Planning
- G. NY Rural Water Association Workshop – Sustainable Management of Rural and Small Systems
- H. Training Webinar series provided through NYCOM
- I. Association of Village Boards Meeting – April 20, 2016 – Location Caledonia Village Inn
- J. Livingston County Department of Health Free Rabies Vaccination Clinic

Adjournment

With no further business to be discussed, the motion to adjourn was made by Deputy Mayor Amrhein, seconded by Trustee Snyder at 8:56 PM. Carried 5-0.

Respectfully submitted,

LeRoy J. Wood
Clerk-Treasurer