

August 8, 2016

The Regular Meeting of the Nunda Village Board of Trustees was held on August 8, 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

Waste Water Treatment Plant Superintendent: Markus Hugi – arrived at 7:11pm

Laborer: Brian Emke

Clerk-Treasurer: LeRoy Wood

Citizens: Maxine Snelgrove

Travis Rawleigh

Richard Beardsley

Ron Adam

Sheila Piper

Larry Mallaber

Philip Piper

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

Roll Call: Trustee Morgan absent

Pledge of Allegiance - led by Deputy Mayor Amrhein

Visitor's Forum

Sheila Piper expressed concerns with campfires within the Village and night burning of trash within the Village. Ms. Piper stated that there are neighbors out burning trash at all hours of the night keeping her and her family from getting back to sleep because of the smoke.

Mayor Cox stated that there should not be any burning of trash within the Village.

Ms. Piper mentioned the frequency of fires from her neighbors regardless of the time of day or the temperature.

Mayor Cox asked the Code Enforcement/Zoning Officer Mullikin if this fell under his monitoring responsibilities.

CEO/ZEO Mullikin explained that the DEC should be contacted and questions on the New York State Opening Burning Law should be discussed as to their responsibility.

Mayor Cox stated that the local police and DEC are your best bet at finding answers.

Deputy Mayor Amrhein stated the Village should work on a local burning law.

Ms. Piper stated she thought that years ago it was decided somewhere that if a campfire bothered a neighbor then there would be no campfires. Ms. Piper also wanted the Board to know she does not like to be the one who complains about the smoke.

Mayor Cox stated the Village can look into the burning law.

Larry Mallaber distributed and presented the proposed 2017-2019 Nunda Fire Department Budget to the Village Board of Trustees. Discussed were New York State mandates for turn out gear upkeep, required physicals, and the replacement of fire trucks.

The Mayor thanked Mr. Mallaber for his presentation with further discussion to take place later this year with the Village Board reviewing more carefully the proposed budget.

Maxine Snelgrove provided an update as to the status of the 2016 Nunda Yard Sales Day, August 20, 2016. The Chamber of Commerce and the Village of Nunda are working hard and maps will be submitted and printed early in the next week.

Approval of Minutes

A. July 11, 2016

Resolution no. 2016-117

BE IT RESOLVED, that the Nunda Village Board of Trustees have reviewed and approved the meeting minutes as presented.

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

Approval of Invoices

Resolution no. 2016-118

BE IT RESOLVED, that the Nunda Village Board of Trustees has reviewed and approve invoices for payment on Abstract no. 15 as follows:

A. Abstract No. 15

GENERAL -	\$ 76,905.82
WATER -	\$ 9,999.65
SEWER -	\$ 3,920.75
YOUTH-	<u>\$ 2,340.38</u>
TOTAL –	\$ 93,166.60

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

Reports

A. *Police*

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

Trustee/Police Commissioner Snyder stated the Nunda Police Department has purchased two body cameras. The department is currently reviewing the operation of these cameras and hopefully soon they will be online. There are rules and regulations that need to be reviewed for privacy and security issues and possible FOIL requirements.

Deputy Mayor/Police Commissioner Amrhein mentioned the successful bicycle rodeo the Police Department had. The Police Department is still doing foot patrols and looking at finalizing their door hangers for future distribution.

Trustee/Police Commissioner Snyder stated pricing on a new police vehicle should be available next month. The Chevrolet Tahoe is looking at being replaced.

Mayor Cox mentioned Officer Eldridge's performance at a recent police call where a local resident required CPR and the application of the AED. Deputy Mayor Amrhein stated she did a good job at jumping in and trying to resuscitate the local resident. Mayor Cox expressed his thanks for her contributions.

B. *Code Enforcement/Zoning*

1. Monthly Report - June 2016

CEO/ZEO Mullikin half of the annual fire inspections have been completed.

C. *Sewer*

1. Spare mixer repair quote – proprietary equipment
2. Engineering Plant Assessment Update – first draft of report should be out by the end of the month.

D. *DPW*

1. June 2016 Calendar
2. Cost estimate for milling/resurfacing Center Street and North Church Street

Resolution no. 2016-119

BE IT RESOLVED, that the Nunda Village Board of Trustees approve the milling, sealing, and tack coating for Village street repairs to Center Street and a portion of North Church Street for the cost of \$35,970.75 from Spallina Materials of Mount Morris, New York.

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

Trustee Snyder commended the DPW Department on the sidewalk installation on Massachusetts Street.

Mayor Cox thanked the DPW Department for help in the removal of tree limbs that had fallen across Massachusetts Street after a recent storm.

E. Water

1. Two fire hydrants installed

One fire hydrant still requires additional attention on Mill Street.

F. Justice

1. Monthly Reports – July 2016

G. Treasurer's Reports

1. Monthly Report

Work on the end of fiscal year accounting/financial reporting process has precluded the completion and reporting of the May, June and July 2016 Treasurer's Reports. An independent CPA has been contacted with training received. Of the ten bank accounts, there are three that require additional efforts in balancing the bank statement with the accounting software. Anticipation of completion of end of year reports should be at the beginning of September 2016 with submission of the Annual Updated Document by the end of September 2016.

H. ZBA/Planning Board

I. Youth Recreation

Resolution no. 2016-120

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 4-0.

New Business

A. Joint Village/Town Police Agreement

Police Commissioners received an example copy of a Police Agreement which at this time is a requirement for indemnification purposes from our insurance company. Discussion will take place between all Police Commissioners in the near future as to the contents and passing of a local Joint Police Agreement

B. Semi-Annual Report-Livingston County Dog Control - Reviewed

C. DPW-Surplus Equipment

Resolution no. 2016-121

BE IT RESOLVED, that the Nunda Village Board of Trustees approve the following list of equipment to be advertised for acceptance of a public sealed bid for sale;

International Farmall "A" with front broom, gas

Onan Gas Welder-Generator-Stick Weld, Electric Start-combination 200-amp AC/DC Welder

Craftsman 33 gallon 1.6 running HP air compressor

Paint Sprayer -gas powered

Pressure Washer-North Star electric steam

Backhoe-1987 Case 580K-2WD-4752 hours-4 in 1 bucket-12", 18", 24" digging bucket

Stone Plate Tamper

Plow-Viking 10' one-way plow all steel

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

D. NYS CDBG Project # 831PW147-11 – Report submission

E. GLOW Solid Waste Management Drop-Off, Saturday, September 17, 2016, Batavia, NY

F. Joint Tri-board meeting Saturday, August 13, 2016, Keshequa Central School Board Rm

G. Well site operational readiness

Chief Water Operator Bennett discussed the requirements and operational readiness of the Village Well. If the Village Well Site were to be operational the Village would be under a boil water advisement before consumption. The Village Well is operational.

H. Village Clerk hours change request

The Village Clerk-Treasurer requested hours of operational change. The Clerk-Treasurer has requested hours to be changed from 9:00AM through 4:30PM to 8:30AM through 4:00PM. This change would allow the Nunda Government Center to be open an additional thirty minutes per day for resident accommodations. The change would take effect October 1, 2016 after the Village Tax season.

Resolution no. 2016-122

BE IT RESOLVED, that the Nunda Village Board of Trustees approve the hours of operational change for the Village Clerk-Treasurer from 9:00AM through 4:30PM to 8:30 AM through 4:00PM effective October 1, 2016.

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

Old Business

A. Nunda Zoning Law: Temporary Structures

Resolution no. 2016-123

BE IT RESOLVED that the Nunda Village Board of Trustees approve the revocation of current Zoning Law for the Village of Nunda known as Local Law No. 1 of 2005, and,

FURTHERMORE, approve the proposed Town and Village of Nunda Joint Zoning Law of August 2016, further defined as Village of Nunda Local Law No. 1 of the year 2016, and to provide for a Joint Public Hearing for adoption of said law, with the Town of Nunda as set for Saturday, 11:00AM, August 13, 2016.

The motion was made by Trustee Snyder, seconded by Deputy Mayor Amrhein. Carried 3-1 (Allen).

B. Water Law – Updated Law provided to committee for review

Deputy Mayor Amrhein presented to the Village Board proposed changes for amending the current Water Law of 2004, including a definition of what a living unit is. Discussion at the next Village Board Meeting on amending the current law will be scheduled.

Trustee Allen had concerns with an individual residence having several occupants versus a two *living unit* home that may have only a couple individuals as to why a two *living unit* home is charged for two *living units* and a single family home with ten or more folks living under one roof is charged just the single family unit charge for water and sewer. As explained by Deputy Mayor Amrhein, the Water Law of 2004 states that each family unit will be charged accordingly. A single family regardless of how many live under the one roof will be charged singularly and a home with more than one *living unit* will be charged according to the number of *living units* regardless of how many individuals occupy the home.

C. Email account addresses for Board Members

The Mayor, all Trustees, Clerk-Treasurer, Deputy Clerk, DPW and WWTP Operators have received an email account specific to the job title of such individual. The email accounts will be used while performing the duties as such and will remain open and in effect upon any transfer of personnel from said job title. Email accounts to be added to Village Webpage.

D. FEMA – Update on Melodee Lane portion of projects

Mayor Cox is researching the requirements for a file of extension for additional funding for Melodee Lane.

E. Land survey – DPW Building property – tabled for future discussion. Complete annexation of Village Well-site before starting another project.

F. Annexation – Village Well-Site - Tax map ID# 184.-1-37

Livingston County Clerk has requested, per NYS GML 717, survey maps for proper filing, Mylar maps, paper maps and an appropriate filing fee to fulfill the NYS annexation requirements. Surveyor has requested a copy of the land abstract. The Village Clerk-Treasurer will review all files to see if this document is on hand.

G. Village Park - Lease

Mayor Cox requested additional discussion on the proposed Agreement to Lease of the Village Park. The Mayor stated the Village has taken care of and maintained the Village Park for more than sixteen years. Mayor Cox stated his disappointment in the Village of Nunda not being included in any promotional activities that were being presented by Trinity Church of Nunda this year.

Deputy Mayor Amrhein asked if we had received any recognition over the years for all of the work that has been done. Mayor Cox stated he did not believe so.

Trustee Snyder stated the Village Park is a welcoming point into the community and that we need to work together.

Trustee Allen asked does the church want control?

Mayor Cox stated the Government Center would be a good location for any potential future Music in the Park activities, parking is available, the front porch is large enough.

Trustee Snyder stated the Village is currently paying electric, maintenance, and mowing the lawn of the Village Park.

Resolution no. 2016-124

BE IT RESOLVED that the Nunda Village Board of Trustees approve rescinding Resolution no. 2016-105, dated June 27, 2016, proposed Agreement to Lease the Nunda Village Park from Trinity Church of Nunda – and **not enter** into an Agreement to Lease the Village Park property from the Trinity Church of Nunda at this time.

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

Other Business

None

Communications/Information Items

A. Calendar –August & September 2016

B. Livingston County Planning Board Meeting-Thursday, August 11, 2016

Executive Session

Resolution no. 2016-125

BE IT RESOLVED that the Nunda Village Board of Trustees enter Executive Session at 9:03 P.M. for the purpose of discussing legal concerns, current litigation, on a condemned home within the Village limits.

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

Resolution no. 2016-126

BE IT RESOLVED that the Nunda Village Board of Trustees exit Executive Session at 9:20 P.M. The motion was made by Deputy Mayor Amrhein, seconded by Trustee Allen. Carried 4-0.

Trustee Morgan has requested a marginal note be added to these monthly meeting minutes – after Village Board Approval of said minutes on September 12, 2016.

This marginal note is to include a statement that Trinity Church of Nunda recognized the Village of Nunda Department of Public Works staff for their contributed efforts in making the Village Park clean and kept in pristine condition for the Summer Concert in the Park Series 2016. And, at every previous Concert in the Series, the Friends of the Village Park recognized and thanked the Village of Nunda and specific members of the government and staff for their sponsorship and other efforts in the funding and implementation of the Nunda Gazebo Arts Showcase.

Adjournment

With no further business to be discussed, the motion to adjourn was made by Deputy Mayor Amrhein, seconded by Trustee Allen at 9:26 PM. Carried 5-0.

Respectfully submitted,

LeRoy J. Wood
Clerk-Treasurer