

The Regular Meeting of the Nunda Village Board of Trustees was held on February 8, 2016 with the following present:

Mayor: Robert Cox  
Trustees: Jeffrey Essler  
Jack Morgan

Village/Town of Nunda Justice James R. Mann Jr.  
Code Enforcement/Zoning Officer: Mark Mullikin  
Chief Water Operator - Department of Public Works Representative: Brian Emke  
Chief Waste Water Treatment Operator: Markus Hugi  
Laborers: Daniel Strobel  
Clerk-Treasurer: LeRoy Wood

Citizens: Maxine Snelgrove                      Melvin Allen

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

Roll Call: Deputy Mayor: Fritz Amrhein arrived at 7:01 P.M.  
Trustee: Darren Snyder arrived at 7:01 P.M.

Pledge of Allegiance led by Mayor Cox

**Visitor's Forum**

Mayor Cox recognized all visitors and Village employees in welcoming all to the Village Board meeting.

**Approval of Minutes**

A. January 11, 2016

**Resolution no. 2016-014**

**BE IT RESOLVED**, that the Nunda Village Board of Trustees have reviewed and approved the meeting minutes as presented. The motion was made by Trustee Essler, seconded by Deputy Mayor Amrhein. Carried 5-0.

**Approval of Invoices**

A. Abstract #8 as follows:

**Resolution no. 2016-015**

**BE IT RESOLVED**, that the Nunda Village Board of Trustees has reviewed and approve invoices for payment on Abstract No. 8 as follows:

GENERAL -	\$ 12,397.42
WATER -	\$ 13,764.81
SEWER -	\$ 4,101.67
YOUTH -	\$ _____ .00
<b>TOTAL -</b>	<b>\$ 30,263.90</b>

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

**Reports**

A. *Police*

1. Monthly Report: January 2016  
Additional hours reported were associated with cadet training
2. Town of Nunda Budget Report – Not provided due to year end fiscal processing
3. Payroll Reports: 1/10/2016 – 1/23/2016

Police Officer/Police Chief evaluations are being finalized at this time.

The abstract of expenditures, along with individual invoices, for the Joint Village/Town Police Department was discussed. The Village Board agrees this abstract should be provided on a monthly basis for review by such Board. The Mayor will meet with Town Supervisor Walker to discuss further in having this request fulfilled.

B. *Code Enforcement/Zoning*

1. Monthly Report: January 2016

Letters have been mailed to local businesses and some residents, per Livingston County request, for knowledge of access points, the number and location of access points and how many living units exist at these locations for safety, security, fire and ambulance and other emergency management services in the case of any emergency type concern that may/could occur.

**Resolution no. 2016-016**

**BE IT RESOLVED**, that the Nunda Village Board of Trustees approve in waving of the commercial building permit fee for the Nunda Historical Society's building improvements. The motion was made by Trustee Morgan, seconded by Trustee Essler. Carried 5-0.

C. *Sewer*

1. Bio-solids disposal

2. Waste/trash disposal services at Waste Water Treatment Plant – WWTP Chief Hugi did contact Waste Management for quote on the cost of a 2 cubic yard waste/trash container. The Village Board request Chief Hugi to contact two other waste/trash disposal vendors for additional quotes.

D. *Department of Public Works*

1. January 2016 Calendar of Events

E. *Water*

1. Water meter head replacement is happening at this time, mainly on the west side of the Village. A total of seventy-three water meter heads have been purchased.

F. *Justice*

1. Monthly Reports: January 2016

G. *Treasurer's Reports*

1. January 2016

2. 2016/2017 Budget preparation with the Mayor and Clerk-Treasurer will begin in February 2016

H. *ZBA/Planning Board*

I. *Youth Recreation*

**Resolution no. 2016-017**

**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. Keshequa Central School Board President Todd Galton has requested a Joint Village/Town/School Board meeting in March 2016. Date to be determined in late February 2016 for meeting date and time to coincide with participation and schedule of all board members.

B. Proclaiming March 2016 as Colorectal Cancer Awareness Month

**Resolution no. 2016-018**

**WHEREAS**, colorectal cancer is the third most commonly diagnosed cancer and the second most common causes of cancer deaths for men and women in the United States;

**WHEREAS**, colorectal cancer affects both men and women equally;

**WHEREAS**, the vast majority of colorectal cancer deaths can be prevented through proper screening, early detection and education;

**NOW THEREFORE, BE IT RESOLVED** that the Nunda Village Board of Trustees recognizes March 2016 as "Colorectal Cancer Awareness Month". The motion was made by Deputy Mayor Amrhein, seconded by Trustee Snyder. Carried 5-0.

C. Employee request for change to Employee Policy

**Resolution no. 2016-019**

**BE IT RESOLVED** that the Nunda Village Board of Trustees approve the modifications to the Employee Policy effective February 8, 2016, with additions to the current policy including the following:

This policy does not create a contract, expressed or implied. The Village Board of Trustee reserves the right to revise, amend or rescind this and any policy at any time. (2015)

*"In order to maintain open communication between the Village Board of Trustees and the Village employees, this employee policy cannot be amended, revised or rescinded unless notification and discussion with all village employees takes place at least 30 days prior to any change being implemented, with the exception of the case of an emergency". (2016)*

## Section XVI. LICENSES

*The Village will pay for a NYSDOT physical, required in order to possess a NYSCDL license, for all qualified Village employees who operate Village Equipment which requires such license to operate.*

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

### D. Mileage Allowance

#### **Resolution no. 2016-020**

**WHEREAS** the Board of Trustees has determined to pay a fixed rate for mileage as reimbursement to Village officers and employees who use their personal automobiles while performing their official Village duties;

#### **NOW THEREFORE BE IT RESOLVED:**

**Section 1.** That the Board of Trustees approve reimbursement to such officers and employees at the rate authorized by the IRS currently at the rate of \$.54 per mile.

**Section 2.** That this resolution is effective retroactive to January 1, 2016

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

### E. Approval of Brian Emke to attend Annual New York Rural Water Association Conference

#### **Resolution no. 2016-021**

**BE IT RESOLVED** that the Nunda Village Board of Trustees approve Brian Emke to attend the annual New York Rural Water Association Conference May 16<sup>th</sup> – 19<sup>th</sup>, 2016, Lake Placid, New York. The motion was made by Trustee Morgan, seconded by Trustee Essler. Carried 5-0.

### F. Resignation received from Jeffery Long, Joint Village/Town Planning Board Member

#### **Resolution no. 2016-022**

**BE IT RESOLVED** that the Nunda Village Board of Trustees accepts the resignation of Jeffery Long as the Chairperson of the Joint Village/Town of Nunda Planning Board, with thanks and regrets, effective April 1, 2016. The motion was made by Trustee Morgan, seconded by Trustee Essler. Carried 5-0.

### G. Resignation received from Elsie Greenburg, Village Deputy Clerk

#### **Resolution no. 2016-023**

**BE IT RESOLVED** that the Nunda Village Board of Trustees accepts the resignation of Elsie Greenburg, Village Deputy Clerk, with thanks and regrets, effective February 1, 2016. The motion was made by Deputy Mayor Amrhein, seconded by Trustee Morgan. Carried 5-0.

### H. Advertise for new Per-Diem based Village Deputy Clerk to fill vacancy

#### **Resolution no. 2016-024**

**BE IT RESOLVED** that the Nunda Village Board of Trustees approve the advertising for a Per Diem based Deputy Village Clerk to fill vacancy. The motion was made by Trustee Essler, seconded by Deputy Mayor Amrhein. Carried 5-0.

### I. Request for Partial Release of Easement

Timothy Dietz is selling his property located at 20 West Street. The property slightly encroaches the Village's sanitary sewer easement. Mr. Dietz's attorney is requesting that the land underlying the garage be released from the easement.

#### **Resolution no. 2016-025**

**BE IT RESOLVED** that the Nunda Village Board of Trustees approve the request for Partial Release of Sanitary Sewer Easement located at 20 West Street, in the Village of Nunda, tax identifier map parcel number 183.12-1-53. The motion was made by Deputy Mayor Amrhein, seconded by Trustee Snyder. Carried 5-0.

### J. Sewer Law

#### **Resolution no. 2016-026**

**BE IT RESOLVED** that the Nunda Village Board of Trustees approve the reclassification of the space above Sandy's Café as an attic, a non-living unit. Property located at 1 North State Street, tax identifier map parcel number 184.9-4-5. The motion was made by Trustee Morgan, seconded by Deputy Mayor Amrhein. Carried 5-0.

K. Village Park – Concert in the Park Series - discussed

**Old Business**

A. Nunda Zoning Law: Temporary Structures recommendations

B. Backhoe Purchase – Village Board provided with three proposals for payment of backhoe by Village Clerk-Treasurer. Option One was selected as method of purchase and payment.

**Resolution no. 2016-027**

**BE IT RESOLVED** that the Nunda Village Board of Trustees approve the purchase of a 2016 Case 580N 4X4 Backhoe using New York State Contract # PC-67265 from Monroe Tractor for the discounted contract price of \$91,168.00. Payment will be through the use of Equipment Reserve Funds and Statutory Installment Bonds. Total funds of \$62,350 in Equipment Reserve Funds from the General Fund (70%), Water Fund (15%) and Sewer Fund (15%) accounts will be used. Statutory Installment Bonds in the amount of \$28,818 plus a fixed 3.75% interest over a five-year period will be attained through the Village’s banking institution. A callable clause will be purchased along with the Statutory Installment Bonds for allowance to pay entire bond off after a one-year period, if desired. This resolution will take effect once Permissive Referendum period has passed February 12, 2016 without any petition for protesting against such resolution. The motion was made by Trustee Snyder, seconded by Trustee Morgan. Carried 5-0.

C. Water Law – Update from Committee

D. Solicitation Permit – Frontier Communications

**Resolution no. 2016-028**

**BE IT RESOLVED** that the Nunda Village Board of Trustees approve Frontier Communications for a permit for Solicitation of this company’s services to the Village residence. Issuance of permit will be commensurate upon successful application processing with the Village Clerk-Treasurer. The motion was made by Trustee Essler, seconded by Trustee Snyder. Carried 4-0, Abstain 1 (Amrhein).

E. Dog Control – Semi-Annual Report Review – presented and discussed

**Communications/Information Items**

A. Calendar: February 2016 & March 2016

B. Time Warner Cable

C. Thomas Byrnes-Deer infestation within Village limits

D. Census 2016

E. 2016 Earth Day Award Nominations

F. Governor Cuomo – Local Government and School District Funding

G. Governor Cuomo – 2016 Agenda – Signature Proposals

H. Association of Village Boards Meeting

I. SUNY Geneseo Lockhart Gallery – Rose Shave Artist from Nunda

J. Genesee/Finger Lakes Regional Planning Board Council Webinar Series

K. Governor Cuomo – Grants in Support of Colleges and Universities Across the State

**Other Business**

A. Executive Session for the purpose of discussing Legal Issue

**Resolution no. 2016-029**

**BE IT RESOLVED** that the Nunda Village Board of Trustees enter Executive Session at 9:07 P.M. for the purpose of discussing legal concerns. The motion was made by Trustee Essler, seconded by Trustee Morgan. Carried 5-0.

**Resolution no. 2016-030**

**BE IT RESOLVED** that the Nunda Village Board of Trustees exit Executive Session at 9:13 P.M. The motion was made by Trustee Essler, seconded by Trustee Snyder. Carried 5-0.

**Adjournment**

With no further business to be discussed, the motion to adjourn was made by Deputy Mayor Amrhein, seconded by Trustee Essler at 9:15 P.M., seconded by. Carried 5-0.

Respectfully submitted,

LeRoy J. Wood  
Clerk-Treasurer