

May 9, 2016

**The Regular Meeting of the Nunda Village Board of Trustees was held on May 9, 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 Representative:** Brian Emke  
**Chief Waste Water Treatment Operator:** Markus Hugi arrived at 8:23 PM  
**Clerk-Treasurer:** LeRoy Wood

**Citizens:** Maxine Snelgrove Tamara Adams Ron Adam  
Timothy Cassidy Sr. Timothy Cassidy Jr.

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

**Roll Call:** All present

**Pledge of Allegiance** - led by Mayor Cox

**Visitor's Forum**

Tamara Adams proposed the large pine tree located on Village of Nunda property at the Village Well Site, be removed. Ms. Adams stated she is looking at having a pool built on her property. Currently, the tree is creating a lot of work on her property with downed tree limbs, pine needles and pine cones. Deputy Mayor Amrhein asked is the tree on the line. Ms. Adams stated the tree is on Village property. Trustee Snyder asked if this is the tree near the Village shed on this property? Mayor Cox stated yes, and that the Village would go and look at the property and review the concern accordingly. The Mayor thanked Ms. Adams for her presentation to the Board.

Timothy Cassidy Sr. stated that Timothy Cassidy Jr. has completed the Police Academy and spoke with Town Supervisor Walker to discuss with the Nunda Police Chief about being hired or trying to pursue the opportunity to be hired. Mayor Cox stated the Village Police Commissioners were present. Trustee Allen stated, is he looking for sponsorship? Mr. Cassidy Sr. answered yes. Mr. Cassidy Jr. stated when he was at the end of the academy that he was told there was an open spot on the roster by the Police Chief. Mayor Cox stated that now that the Police Commissioners have been notified, this will be a topic of discussion at their next commissioner's meeting. The Mayor thanked Mr. Cassidy Sr. and Mr. Cassidy Jr. for their input and bringing their concern to the Village Board for further discussion.

**Approval of Minutes**

A. April 11, 2016

**Resolution no. 2016-062**

**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 Morgan. Carried 5-0.

B. April 23, 2016 – Joint Meeting - Village of Nunda, Town of Nunda, Keshequa School Board

**Resolution no. 2016-063**

**BE IT RESOLVED**, that the Nunda Village Board of Trustees have reviewed and approved the meeting minutes as presented with the following corrections; change Joint Informal Meeting to Joint Official Meeting as recommended by Trustee Morgan and correction of Town Supervisor's name on page one of minutes to reflect correct spelling of Supervisor Merilee Walker.

The motion was made by Deputy Mayor Amrhein, seconded by Trustee Snyder. Carried 3-0.

### **Approval of Invoices**

A. Abstract No. 11

#### **Resolution no. 2016-064**

**BE IT RESOLVED**, that the Nunda Village Board of Trustees has reviewed and approve invoices for payment on Abstract no. 11 as follows:

GENERAL -	\$ 10,350.04
WATER -	\$ 38,862.40
SEWER -	\$ 16,266.87
YOUTH-	\$ <u>      .00</u>
<b>TOTAL –</b>	<b>\$ 65,479.31</b>

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

### **Reports**

#### A. *Police*

1. Monthly Report - April 2016
2. Town of Nunda Budget Report – April 2016
3. Payroll Reports

Deputy Mayor Amrhein stated the hours for the previous month were a little high.

#### B. *Code Enforcement/Zoning*

1. Monthly Report - April 2016

#### C. *Sewer*

1. Treatment and control of filler flies – Jo’s Tree Turf Quote – reviewed and discussed.
2. Land spreading
3. Chatfield Engineering Update – work-up for engineering capital plan has started.

#### D. *DPW*

1. April 2016 Calendar
2. Saturday, May 14, 2016 – Village Clean-Up Day-with high school student volunteers

#### E. *Water*

1. One fire hydrant repaired
2. 2015 Annual Quality Water Report has been submitted to Livingston County Department of Health for review and corrections as needed.

#### F. *Justice*

1. Monthly Reports – April 2016 – not received for Board review at this time.

#### G. *Treasurer’s Reports*

1. Monthly Reports – April 2016

#### H. *ZBA/Planning Board*

#### I. *Youth Recreation*

1. Request advertising for Youth Recreation Assistants/Water Safety Officers – end date for collecting applications will be May 26, 2016 at 4:30PM, per Director Gordinier.

#### **Resolution no. 2016-065**

**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 Allen. Carried 5-0.

### **New Business**

A. Police Rules of Conduct - A copy of the Police Department - Town and Village of Nunda, New York – Duties and Rules of Conduct has been provided to all Board members.

B. Establish uses for General, Water and Sewer Equipment Reserve Accounts

#### **Resolution no. 2016-066**

**BE IT RESOLVED**, that pursuant to Section 6-c of the General Municipal Law, as amended, there is hereby established capital equipment reserve funds for the General, Water and Sewer Funds. The

purpose of these opened Equipment Reserve Fund Accounts, through resolution dated May 11, 2015, is to accumulate moneys to finance the cost of types of equipment utilized within the appropriate fund(s). The type of equipment to be financed from these Equipment Reserve Fund Accounts is for the acquisition of any equipment with a useful life to be used for the purposes of within said fund(s), as directed by the governing board.

The chief fiscal officer is hereby directed to deposit and secure the moneys of these Reserve Funds in the manner provided by Section 10 of the General Municipal Law. The Nunda Village Board of Trustees may invest the moneys in the appropriate Equipment Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of the Village of Nunda. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the specific Equipment Reserve Fund. The chief fiscal officer shall account for the Equipment Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Board a detailed report of the operation and condition of the Equipment Reserve Fund.

Except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund has been established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and such additional actions or proceedings as may be required by Section 6-c of the General Municipal Law or any other law, including a permissive referendum if required by subdivision 4 of Section 6-c.

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

C. Invest \$100 for a beautification project for the Nunda Government Center. The funds will be used for the purchase of flowers, plants and hanging baskets. The project will be in coordination with the Town of Nunda, local Rotary and local students from Keshequa Central School.

**Resolution no. 2016-067**

**BE IT RESOLVED** that the Nunda Village Board of Trustees authorizes the expenditure of \$100.00 for the coordinated beautification project through the Village of Nunda, Town of Nunda and local Rotary for the Nunda Government Center.

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

D. Snow and Ice equipment rental to be moved into the Snow and Ice Equipment Reserve Fund

**Resolution no. 2016-068**

**BE IT RESOLVED** that the Nunda Village Board of Trustees approves the transfer of all revenues received in 2016 through the New York State Snow and Ice Voucher Program for the specific item - Equipment Rental - to be moved into the Snow Equipment Reserve Account. The motion was made by Deputy Mayor Amrhein, seconded by Trustee Snyder. Carried 4-0.

E. Village Park - Lease discussion - Use Authorizations (form)

Trustee Allen asked is the Village still maintaining the Village Park? Mayor Cox answered-yes.

Trustee Morgan stated the Village should request a lease from the Trinity Church of Nunda.

Trustee Allen stated we should have something in place soon. Trustee Allen asked about advertising for use of the Village Park, the current lease, can we be included in the sponsorship? Mayor Cox stated that there currently is no lease in effect.

Trustee Allen stated his concern with advertising for events in a local weekly publication using the Village Park as a place for such events without Village approval. Trustee Morgan stated the Village Park is just a name for the specific location designated as Village Park, not meaning the Village owns the Park. The name is just that "Village Park". Trustee Allen stated the use of the Village Park will have the Village of Nunda as a sponsor for upcoming events.

The Board has approved a letter be delivered to the Nunda Trinity Church requesting an Agreement to Lease. This correspondence will request the Agreement to Lease and that the

lease delivered to the Village Board will be reviewed by the Village Attorney and approved by the Board prior to implementation. The lease will be in effect for one year and be renewed as the Village Board and Nunda Trinity Church of Nunda agree upon.

There also will be a set of rules and regulations set for the use of the Village Park for all to follow. Use of the Village Park will be through an availability process, as set by the Village Board once the Agreement to Lease has been finalized and approved. This approval process for Village Park use will be through the Village Clerk-Treasurer's Office on a first come first serve availability basis, again once an Agreement to Lease has been put in place and approved.

**Resolution no. 2016-069**

**BE IT RESOLVED** that the Nunda Village Board of Trustees approves the continued support of the Village Park and to keep the Village Park under the auspices of the Village; and

**FURTHERMORE**, the Village Board of Trustees approve the sending of correspondence to request an Agreement to Lease to Trinity Church of Nunda for the Village Park property.

The motion was made by Deputy Mayor Amrhein, seconded by Trustee Snyder. Carried 3-0, 1 vote abstained Trustee Morgan.

F. Village Mall use music for date July 30, 2016

**Resolution no. 2016-070**

**BE IT RESOLVED** that the Nunda Village Board of Trustees approves the use of the Village Mall area for music presentation on July 30, 2016.

The motion was made by Deputy Mayor Amrhein, seconded by Trustee Snyder. Carried 3-0, 1 vote abstained Trustee Morgan.

G. Procurement Policy – Police Department purchasing threshold

**Resolution no. 2016-071**

**BE IT RESOLVED** that the Nunda Village Board of Trustees approves the spending cap for the Joint Village/Town of Nunda Police Department to be set at \$250.00, any and all other spending above this threshold will require both boards approval prior to purchase.

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

**Resolution no. 2016-072**

**BE IT RESOLVED** that the Nunda Village Board of Trustees approve the change to the Local Procurement Policy to read all purchases over \$500.00 require Village Board approval unless an emergency expenditure is required due to a resident/employee/equipment safety concern are present.

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

H. Tax Warrant

**Resolution no. 2016-073**

**BE IT RESOLVED** that the Nunda Village Board of Trustees authorizes the Mayor and Village Clerk-Treasurer to sign the tax warrant in the amount of \$429,548.00, to also include the water re-levies in the amount of \$2,523.88 and sewer re-levies in the amount of \$2,364.43.

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

I. 2015-2016 Budget Modifications

**Resolution no. 2016-074**

**BE IT RESOLVED** that the Clerk-Treasurer be authorized to make necessary budget modifications to individual line items to more accurately reflect budgetary expenditures for 2015-2016.

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

J. Reserve Funds

**Resolution no. 2016-075**

**BE IT RESOLVED** that the Clerk-Treasurer be authorized to transfer any unexpended funds to their respective funds Equipment Reserve Fund, excluding any unexpended fund balance appropriated in the 2015-2016 Budget.

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

K. Transfer Funds from Equipment Reserve Fund Accounts to newly established Capital Project H Fund Account - specific to Village Backhoe purchase

**Resolution no. 2016-076**

**BE IT RESOLVED** that the Nunda Village Board of Trustees approves the establishment of a Capital Project H Fund Account for proper reporting procedures to New York State Comptroller for Capital Equipment purchases, specific to Backhoe; and

**FURTHERMORE**, the Village Board of Trustees approves the transfer of Capital Equipment Reserves Funds for such purchase from the General, Water and Sewer Equipment Reserve Funds into the newly established H Fund for payment purposes once equipment has been received and invoiced. The motion was made by Trustee Morgan, and seconded by Deputy Mayor Amrhein. Carried 4-0.

L. End of Year Close-out Meeting May 25, 2016 at 7:00 PM.

**Resolution no. 2016-077**

**BE IT RESOLVED** that the Nunda Village Board of Trustees set the date for the 2015/2016 Fiscal Year End Meeting for Wednesday, May 25, 2016 at 7:00 PM.

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

M. Email account addresses for Board Members

Discussion on creating email accounts for each Village Board member took place. The Board requested the Village Clerk-Treasurer get with the Village website webmaster to establish these accounts properly.

N. Village Office Closed Wednesday, May 11, 2016 Village Clerk-Treasurer to attend training

O. Village credit card

**Resolution no. 2016-078**

**BE IT RESOLVED** that the Nunda Village Board of Trustees approve the authorization to apply, retain and use for purchasing purpose once issued – a Village Business Credit Card through our local banking institution, Five Star Bank.

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

P. Advertise for DPW Part Time Employee

**Resolution no. 2016-079**

**BE IT RESOLVED** that the Nunda Village Board of Trustees approve the advertisement for a Part-Time Seasonal Laborer at the rate of \$10.00 per hour, advertisement to run for two weeks, with the deadline of 4:30 P.M. on May 31, 2016.

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

**Old Business**

A. Nunda Zoning Law: Temporary Structures

Mayor Cox would like the Town Supervisor contacted to continue discussion on the Joint Village/Town Zoning Law.

B. Water Law – Updates from committee

Information on living units were dispersed to each Board member for review and discussion at a later date.

C. Appointment of Deputy Clerk

**Resolution no. 2016-080**

**BE IT RESOLVED** that the Nunda Village Board of Trustees appoint Anne Rangere to the position of Deputy Clerk effective May 9, 2016 at the wage rate of \$11.00 per hour.

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

D. FEMA – Materials list for Melodee Lane portion – list provided and reviewed

E. Land survey – DPW Building property

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

In discussion with the Village Attorney, it is required the Town of Nunda pass a resolution authorizing the annexation of said property to the Village. The resolution will be discussed and voted upon at the Town of Nunda regularly scheduled meeting on May 10, 2016.

G. Purchase one additional bench (making the total two) -within budget parameter

**Resolution no. 2016-081**

**BE IT RESOLVED** that the Nunda Village Board of Trustees approve the purchase of an additional one each six-foot long bench made from recycled planks from Summit Supply Corporation for the total cost of \$1,607.00 including price and shipping for both benches. Benches match previously purchased benches and will be affixed to concrete sidewalk for safety purposes.

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

H. Amend Resolution 2016-049 – Remove the appointment of Brenda Weaver

**Resolution no. 2016-082**

**BE IT RESOLVED** that the Nunda Village Board of Trustees approve the amending of Resolution 2016-049, appointments as listed by Mayor Cox, to remove Brenda Weaver as Zoning Board of Appeals Member.

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

**Other Business**

Trustee Allen stated a concern with tax exemption and veterans. Trustee Allen stated all other Villages in the County have some type of veteran exemption except Nunda.

Mayor Cox stated that the concern has been discussed in the past and that it can be tabled for future discussion.

**Communications/Information Items**

- A. Calendar –May & June 2016
- B. Time Warner Cable
- C. Governor Cuomo – \$40 Million Dollar NY Prize MicroGrid Competition
- D. Governor Cuomo – Opening of RIT Center for Urban Entrepreneurship
- E. Governor Cuomo – Announcement of Ann Kress to serve as Co-Chair of Finger Lakes Economic Development Council
- F. Governor Cuomo – City of Rochester Public Market Renovation Project
- G. Livingston County Board Resolution 2016-140 – Municipal Clerk’s Week!
- H. Consolidated Funding Grants Opportunities
- I. Village sign
- J. Livingston County Planning Board Meeting May, 12, 2016

**Adjournment**

With no further business to be discussed, the motion to adjourn was made by Deputy Mayor Amrhein, seconded by Trustee Allen at 8:59PM. Carried 5-0.

Respectfully submitted,

LeRoy J. Wood  
Clerk-Treasurer