

November 13, 2017

The Regular Meeting of the Nunda Village Board of Trustees was held on November 13, 2017, at the Nunda Government Center Building, at 7:00 PM with the following present:

Mayor: Robert Cox

Deputy Mayor: Fritz Amrhein

Trustees: Darren Snyder
Mel Allen
Jack Morgan

Water and Streets Superintendent: Troy Bennett

Waste Water Treatment Plant Operator: Markus Hugi arrived at 7:25 PM

Code Enforcement/Zoning Officer: Mark Mullikin

Laborer: Brian Emke

Clerk-Treasurer: LeRoy Wood

Citizens: Ron Adam Peggy Friedman

Mayor Cox - called the meeting to order at 7:00 PM

Roll Call: All present

Pledge of Allegiance: led by Trustee Allen

Public Hearing

Resolution no. 2017-051

BE IT RESOLVED that the Village of Nunda Board of Trustees approve the opening of the public hearing on the Local Law #5 of 2011 – Dog Control Ordinance of the Village of Nunda. The motion was made by Deputy Mayor Amrhein at 7:02 PM, seconded by Trustee Morgan. Carried 5-0.

Mayor Cox opened the Public Hearing with discussion about owners of dogs having control of their animal with either a harness or a leash. The Mayor also mentioned owners being in control of their dog when not on their own property.

Deputy Mayor Amrhein asked why was the leash section was taken out of the current local law.

Trustee Morgan stated it had something to do with coinciding with Livingston County Dog Control Policy when the Village of Nunda began dog control services with the County.

Mayor Cox read comments from the public on Section 4 of current law which mentions a dog “at large”, and the public wanting to know - what the exact definition of “at large” is. The public also added questions on invisible fencing; is this a viable guaranteed protection feature that dog owners could have or not have. Mayor Cox added that even with a dog in their owners control with a harness or leash would that assure the animal was in complete control, with instance to a dog overpowering their owner and not being able to grasp the dog should it be too large to control.

Trustee Morgan included the necessity of a dog to be leashed and being under control of its owner and not just the appearance of a dog being leashed and in control.

Mayor Cox stated he would contact Livingston County Department of Health to ascertain the reasoning for leaving out the leash section in the old local law versus adding the requirement into a newer version of the Dog Control Local Law should this come to fruition.

Mayor Cox stated further discussion of this local law will be at the next regularly scheduled board meeting in December 2017.

Approval of Minutes

A. October 16, 2017

MOTION was made by Deputy Mayor Amrhein to approve the minutes as presented, reviewed and discussed, seconded by Trustee Allen. Carried 4-0 (Trustee Morgan abstained, not present at this Village Board Meeting).

Approval of Invoices

A. Abstract No. 015

The Nunda Village Board of Trustees has reviewed, discussed and approved invoices for payment on Abstract No. 015 as follows:

| | |
|-----------|---------------------|
| GENERAL - | \$ 32,476.19 |
| WATER - | \$ 13,550.95 |
| SEWER - | \$ 14,198.50 |
| YOUTH - | \$ 220.00 |
| | \$ 60,445.64 |

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

Reports

A. *Police*

1. Monthly Report – October 2017
2. Town of Nunda Budget Report – not provided
3. Payroll Reports – October 2017
4. Police Chief Uniform Log

A report of an officer hitting a deer in a patrol car while on patrol, was reported to the Board. Estimates are currently being collected for repairs. The deductible is \$500.

B. *Code Enforcement/Zoning*

1. Monthly Report – October 2017

Code Enforcement Officer Mullikin reported burned house at 42 South State Street in the Village of Nunda has now been demolished, removed with landscaping completed by banking institution responsible for ownership of property.

C. *Sewer*

1. Land spreading to begin week after Thanksgiving

D. *Department of Public Works*

1. October 2017 Calendar
2. Plow equipment ready to go for winter
3. 2-yard sander/spreader equipment not working
4. Picking up leaves
5. Sink hole (small) repaired on State Route 436-back filled

E. *Water*

1. New probes are in and functioning properly
2. Water leak was detected at Creek Road Trailer Park during the most recent water meter reads for the last quarter billing cycle. Owner was contacted immediately along with NYRWA to help detect where underground the leak may be.

F. *Justice*

1. Monthly Reports – October 2017

G. *Treasurer's Reports*

1. Monthly Treasurer's Reports – October 2017
2. Monthly Bank Statement Account – Clerk-Treasurer Wood provided a copy of the October 2017 bank statement to each Village Board of Trustees member.

Thorough discussion of **each** account, along with proper bank required collateralization on all interest-bearing accounts (accrued) in excess of \$250,000

FDIC were reviewed.

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 *Detail of Revenues* and *Detail of Expenditures* Statements were provided to each Board member **for each fund** and discussed thoroughly.

The Village of Nunda's certificate of deposit did mature on October 3, 2017. As noted, the certificate of deposit was renewed at the same interest rate of .25%, as confirmed with Five Star Bank, for another year - minus \$ 65,000.00 for the one-ton dump truck – a budgeted 2017 capital equipment purchase. The \$ 65,000.00 was transferred to the Equipment Reserve Bank Account.

H. ZBA/Planning Board

1. Working on the Joint Town/Village Comprehensive Plan

I. Youth Recreation

J. Board Departmental Liaison Reports

1. Administrative – an agreement on usage of the Nunda Government Center Building with the Town of Nunda is being developed.
2. Water
3. Other utilities
4. Youth/Parks – Sign for the Village Park has been ordered, a review of the current Park Rules is still in progress
5. Budget Preparation
6. Code Enforcement - CEO Mullikin will be attending a training seminar in Batavia, November 28, 2017 – Distressed and Abandoned Properties

MOTION was made by Deputy Mayor Amrhein that the Nunda Village Board of Trustees accepts the reports as presented, seconded by Trustee Morgan. Carried 5-0.

New Business

A. Mr. Ronald Macomber Post-Employment Healthcare Update

A copy of the remaining balance of Mr. Macomber's post-employment healthcare coverage along with a letter describing the remaining coverage was provided to each Board member and discussed. Post-employment healthcare coverage for Mr. Macomber will expire October 2018. Advanced notification was mailed to Mr. Macomber last month (approximately one year in advance).

B. Return check fee for non-sufficient funds

Clerk-Treasurer Wood provided information as to charges to customers should a non-sufficient (NSF) check be processed by the Village for Village business. This notification is to be posted just outside Clerk-Treasurer's Office to notify all customers of charges. The current charge for a NSF is \$30.00.

C. Letter to Trinity Church for their support of the Village Sign

The Village Board agreed to send Trinity Church of Nunda a letter of thanks for their efforts in attaining donations for the Village of Nunda Park sign.

D. Letter to Kiwanis Park in leu of Support for a Walking Trail Grant

The Village Board signed a letter of support in assisting Kiwanis Club of Nunda obtain a Grant to create a walking trail on Kiwanis Park property.

E. Pay Increase for Mechelle Gillen

January 2018 Mechelle Gillen will be receiving a pay wage increase from \$10.00 per hour to \$10.40 per hour to coincide with New York State minimum wage requirements.

F. Livingston County Planning Board Vacancy

Information provided to Village siting a vacancy on the County Planning Board was discussed. Contact with the Planning Board Director will be made by Mayor Cox to ascertain requirements and current membership of this Board the Village already

provides.

G. Shared Services Agreement – New York State Department of Transportation

Resolution no. 2017-052

BE IT RESOLVED that the Village of Nunda Board of Trustees approve entering into a two-year Shared Services Agreement with New York State Department of Transportation for the exchange or lend materials or equipment which shall promote and assist the maintenance of State of Municipal roads and highways and provide cost savings by maximizing the effective utilization of both parties' resources.

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

H. Disposition of Village of Nunda Department of Public Works Property

Clerk-Treasurer Wood discussed with Village Attorney the disposition of the lot adjacent and north of the Village DPW property located at 20 South Church Street, Tax Map ID #184.13-1-41.1, in the Village of Nunda. A map was received from the Village Attorney showing ownership of said lot, Tax Map ID #184.13-1-53, to Roy and Kaaren Smith. The map is dated 9-26-2016. While conducting additional research of this property, the Village Clerk-Treasurer located a map dated February 5, 1988 showing this lot as the property of the Village of Nunda. The lot size is approximately 218' north, 139.19' east, 177.9' south, 244.25' west. In reviewing the abstract of this property provided by Livingston Abstract Corporation, Geneseo, NY dated from December 17, 1962 through May 26, 1977, shows prior ownership deeding land to the Village of Nunda, however, additional research using the Village Attorney will need to take place to ascertain ownerships intentions of this property due to the language in said abstract. In reviewing prior Village Tax Bills – no taxes have been paid/received on this lot.

MOTION was made by Trustee Morgan that the Village of Nunda Board of Trustees move forward with clearing up ownership title of this lot/property through the Village Attorney and Livingston County Real Property, seconded by Trustee Snyder. Carried 5-0.

Old Business

A. State of the Village Letter

MOTION was made by Deputy Mayor Amrhein to the Village Board of Trustees to accept Mayor Cox's State of the Village Letter as reviewed and for distribution to Village residents, seconded by Trustee Snyder. Carried 5-0.

B. One-ton dump truck purchase

The Village of Nunda received five sealed bid quotes for the purchase of a one-ton dump truck as directed and authorized through the annual budget process, total budget for purchase is \$65,000. Mayor Cox was provided all five sealed bids. Results of said bid are listed below;

| | |
|-------------------------------|--|
| Maple City Dodge | \$ 50,398.00 + \$ 17.50 NYS Waste tire fee |
| Genesee Valley Chrysler Dodge | \$ 49,343.00 |
| Genesee Valley Ford, LLC | \$ 51,502.00 |
| Spurr Chevrolet, Inc. | \$ 50,585.00 |
| Simmons-Rockwell | \$ 53,280.50 |

MOTION was made by Deputy Mayor Amrhein that the Nunda Village Board of Trustees approve the purchase of a one-ton dump truck from the lowest responsible dealer, Genesee Valley Chrysler Dodge for \$ 49,343.00, according to specifications provided and quoted, seconded by Trustee Snyder. Carried 5-0.

An assessment of two quotes received for a stainless salter were reviewed. The said salter will be utilized along with the new dump truck for winter road clearing work. Due to the cost of this equipment, payment of purchase and funding will be used through the General Fund Equipment Reserve Account.

One quote from Northern Tool + Equipment for \$ 4,499.99.

One quote was received from R.S. Maher & Son, Inc. for \$ 4,400.00

MOTION was made by Deputy Mayor Amrhein that the Nunda Village Board of Trustees

approve the purchase and installation of a Fisher Stainless Salter with the capacity of two yards from R.S. Maher & Son, Inc. for \$ 4,400.00, seconded by Trustee Snyder. Carried 5-0.

An assessment of two quotes for a V-Plow for snow removal were reviewed. The said V-Plows will be utilized along with the new dump truck for winter road clearing work. Due to the cost of this equipment, payment of purchase and funding will be used through the General Fund Equipment Reserve Account.

One quote from General Welding & Fabricating, Inc. was for \$ 6,121.80 plus plow shoes at \$ 105.00, set of three installed.

One quote from R.S. Maher & Son, Inc. for \$ 5,400.00, shoes included.

MOTION was made by Deputy Mayor Amrhein that the Nunda Village Board of Trustees approve the purchase and installation of a Fisher Painted XV2 Plow from R.S. Maher & Son, Inc. for \$ 5,400.00, shoes included, seconded by Trustee Snyder. Carried 5-0.

| | |
|---------------------------------------|--------------------|
| Total one-ton dump truck purchase | \$ 49,343.00 |
| Total stainless-steel salter purchase | \$ 4,400.00 |
| Total V-Plow purchase | <u>\$ 5,400.00</u> |
| | \$ 59,143.00 |

Total cost for all three pieces of equipment is \$ 5,857 less than originally budgeted for the one-ton dump truck purchase alone. The remaining budgeted equipment reserve funds (\$5,857.00) will stay in the General Fund Equipment Reserve Fund Account.

C. Cyber Security Insurance

D. Shared Services Agreement – Nunda Government Center

Mayor Cox contacted Baldwins Associates to request any history of an Agreement with the Village

E. Village Park sign cost & rules

Trustee Morgan and Water and Streets Superintendent Bennett to work in preparing initial set of rules.

F. Rules on weekend responsibilities – Superintendent Bennett still in process of developing a plan.

G. Mortar work at 1 Mill Street

Blue Stone to be used and donated by Roger Schafer for repairs.

H. Municipality Insurance update

Currently, there are three companies working on quotes for 2018, a decision will need to be made in December 2017 for next year's municipalities insurance coverage.

I. CDBG Grant update

Information on grant receipt should be forthcoming in December 2017.

J. WWTP DEC Grant update

Information on grant receipt should be forthcoming in December 2017.

Communications/Information Items

A. Calendar - November 2017 & December 2017

B. Fall 2017 Regional Local Government Workshop

C. Livingston County Health Department News

D. Annual Review Computer Use Policy

E. Annual Review Vehicle Use Policy

Public Hearing Closed

Resolution no. 2017-053

BE IT RESOLVED that the Village of Nunda Board of Trustees approve the closing of the public hearing on the Local Law #5 of 2011 – Dog Control Ordinance of the Village of Nunda.

The motion was made by Deputy Mayor Amrhein at 8:55 PM, seconded by Trustee Snyder. Carried 5-0.

Adjournment

With no further business to be discussed, the motion to adjourn was made Deputy Mayor Amrhein, by seconded by Trustee Morgan at 8:57 PM. Carried 5-0.

Respectfully submitted,

LeRoy J. Wood
Clerk-Treasurer