

September 10, 2018

**The Regular Meeting of the Nunda Village Board of Trustees was held on September 10, 2018, at the Nunda Government Center Building, at 7:00 PM with the following present:**

**Mayor:** Jack Morgan  
**Deputy Mayor:** Darren Snyder  
**Trustees:** Donald Wilcox

**Water and Streets Superintendent:** Troy Bennett  
**Waste Water Treatment Operator:** Markus Hugi arrived at 7:05 PM  
**Code Enforcement/Zoning Officer:** Mark Mullikin  
**Clerk-Treasurer:** LeRoy Wood  
**Deputy Water and Streets Superintendent:** Brian Emke  
**Laborer:** Daniel Strobel arrived at 7:32 PM  
**Deputy Clerk-Treasurer:** Mechelle Gillen  
**Police Officer:** Ryan Dale

**Citizens:** Ron Adam Betty Adam

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

**Roll Call:** Trustee Allen absent  
Trustee William McTarnaghan absent

**Pledge of Allegiance:** led by Deputy Clerk-Treasurer Gillen

**Visitor's Forum** – No verbal participation

#### **Approval of Minutes**

A. August 27, 2018

**MOTION** was made by Trustee Wilcox to approve the minutes as *presented and reviewed*, seconded by Deputy Mayor Snyder. Carried 3-0.

#### **Approval of Invoices**

A. Abstract No. 009

The Nunda Village Board of Trustees has reviewed and approve invoices for payment on Abstract no. 009 as follows:

GENERAL -	\$ 25,301.13
WATER -	\$ 7,762.47
SEWER -	\$ 20,512.51
YOUTH-	\$ 255.08
WWTP CIP	<u>\$ 5,199.50</u>
<b>TOTAL –</b>	<b>\$ 59,030.69</b>

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

#### **Reports**

A. *Police*

1. Payroll Report – August 2018
2. Letter of Resignation – Chief Wilcox

**MOTION** was made by Deputy Mayor Snyder, upon concurrence of the Town of Nunda Board, in accepting the resignation of Jeffery Wilcox as Police Chief with thanks and regrets, seconded by Trustee Wilcox. Carried 3-0.

Deputy Mayor Snyder introduced Police Officer Dale to the Board. Officer Dale has been working in Nunda for more than ten years and continues to be happy working here in Nunda. Deputy Mayor

Snyder discussed the attendance of the Village Attorney Meyer at the last Police Commissioner's Board Meeting. A continuation of the agreement process between the Town and Village Police Department is still being researched and being worked on.

Mayor Morgan moved with the next Board action;

**Resolution no. 2018-037**

**BE IT RESOLVED**, that the Nunda Village Board of Trustees upon consensus by vote of the Nunda Town Board and the acceptance of the resignation of the current Chief of Police by both Town and Village Boards, all duties and responsibilities of the Chief of Police be delegated to Officer Ryan Dale, with the commensurate pay, commensurate pay should be that of the current Police Chief, until such time as a new Chief of Police be appointed. The title of Officer Dale to be determined through the correct civil service process as necessary, the motion was made by Mayor Morgan, seconded by Deputy Mayor Snyder. Carried 3-0.

3. Letter of Resignation – Officer Boorman

**MOTION** was made by Trustee Wilcox to accept the resignation of Officer Boorman with thanks and regrets, seconded by Deputy Mayor Snyder. Carried 3-0.

4. Community Policing Report – August 2018

5. Police Chief Uniform Log – August 2018

6. Letter from NYS Police

7. Monthly Report – August 2018

8. Town of Nunda Police Budget Report – August 2018

9. Police Commissioner Board Meeting Minutes – September 4, 2018 non-approved

10. Police Abstract – August 2018

*B. Code Enforcement/Zoning*

1. Monthly Report – August 2018

*C. Sewer*

1. Update on WWTP Project

Awaiting grant results later this calendar year

2. Tractor purchase - received

3. Sludge removal services update

Deputy Mayor Snyder asked Chief Hugi the status of the sludge removal and has Galton Farms been contacted for this service. Chief Hugi stated between contact and analysis being conducted, a time for Galton Farms per their schedule and the WWTP responsibilities has not been able to be determined a correct timeframe for this process. Analysis must be completed first within a certain period of time. Again, this scheduled spreading time has not been able to be ascertained by both entities due to time constraints on land analysis. Chief Hugi stated he is working on options with Dicks Environmental, Galton Farms, and the DEC.

*D. Department of Public Works*

1. Stumps continue to be removed from many locations around the Village

2. Sidewalk replacement is also being conducted once stumps have been removed.

3. New roller has been received.

4. Old equipment to auction

- Roller

- Old plow with framing

**MOTION** was made by Trustee Wilcox to approve of the listed equipment be sent to auction for the authority to auction off equipment, all proceeds to be returned to the capital reserve for future purchases of equipment through the normal budget process, seconded by Deputy Mayor Snyder.

Carried 3-0.

5. Spallina has been contacted. Looking at resurfacing South Walnut Street this month.

E. *Water*

F. *Justice*

1. Monthly Reports – August 2018

G. *Treasurer's Reports*

1. Monthly Treasurer's Reports – August 2018

2. Monthly Bank Statement Accounts – August 2018 provided and discussed

3. Collateralization Report – August 2018 – not received

Clerk-Treasurer Wood provided a copy of the August 2018 bank statements to each Village Board of Trustees member.

Thorough discussion of **each** account took place. The monthly Treasurer's Report was then compared to each bank account. All bank accounts ending balances *did not match* the Treasurer's Report, as presented. Interest accrued for the month of August 2018 was posted September 3, 2018. The interest will reflect on the month of September 2018 monthly financial reports.

The *Balance Sheet, Detail of Revenues and Cash Receipts Journal, Detail of Expenditures and Cash Disbursements Journal* - Statements were provided to each Board member **for each fund** and were discussed thoroughly.

Each reserve account was reviewed and discussed with the Village Board.

H. *ZBA/Planning Board*

1. August 1, 2018, Planning Board Meeting Minutes provided for review

2. August 8, 2018, Planning Board Meeting Minutes provided for review

I. *Youth Recreation*

Mayor Morgan spoke with Director Gordinier on developing policies and procedures for the Youth Recreation Program. Deputy Mayor Snyder mentioned the enrollment has been down. Mayor Morgan mentioned Director Gordinier is also working on this concern.

**MOTION** was made by Deputy Mayor Snyder that the Nunda Village Board of Trustees accepts the reports as *reviewed, presented and discussed*, seconded by Trustee Wilcox. Carried 3-0.

### **New Business**

A. Public Hearing on Local Law consideration of year-long Moratorium on construction of multi-family and two-family residential units.

Mayor Morgan opened the Public hearing at 7:40 PM.

B. Village Board Meeting night change discussion.

### **Resolution no. 2018-038**

**BE IT RESOLVED** that the Nunda Village Board of Trustees approves a change to their Rules of Procedure in that the Village Board Regularly schedule monthly meeting be changed from the second Monday of the month to now be the second Tuesday of the month starting at 6:30 PM to coincide with the Town of Nunda Board Meeting night should either Board have business with the other, the motion was made by Trustee Wilcox, and contingent upon the other two Village Board members not present approval, seconded Deputy Mayor Snyder. Carried 3-0.

C. Correct Water/Sewer Bill Account #1640

**MOTION** was made by Trustee Wilcox to approve the correction of current water/sewer bill for account #1640 in that additional charges be removed and future corrections put in place so that erroneous charges not be applied, seconded by Deputy Mayor Snyder. Carried 3-0.

D. Discussion on Policy regarding conflicting legislature from State or Federal Law as incorporated in the Village of Nunda Local Laws.

Thorough discussion between Board members took place as to policies and laws in place now that may conflict with new and current laws, particularly pertaining to disability of residents and other visitors to our community.

**MOTION** was made by Deputy Mayor Snyder to review policies that are in place and enforce the Village's local laws which must follow New York State and Federal Laws and to make changes as needed to agree with higher authorities, seconded by Trustee Wilcox. Carried 3-0.

E. Return of Village Taxes to the County Treasurer

**Resolution no. 2018-039**

**BE IT RESOLVED** that the Nunda Village Board of Trustees approve sending all delinquent Village Taxes that remain unpaid on October 2, 2018 to the Livingston County Treasurer for re-levy. The motion was made by Deputy Mayor Snyder, seconded by Trustee Wilcox. Carried 3-0.

F. Bond Payment

**MOTION** was made by Deputy Mayor Snyder to allow Clerk-Treasurer Wood to process a bank wire transfer in the amount of \$14, 934.38 for payment of Village debt to Chase Manhattan Bank through the Depository Trust Company, seconded by Trustee Wilcox. Carried 3-0.

G. Budget Modification

Clerk-Treasurer Wood recommend moving \$2,000.00 from contingency account to the Police Department account due to budgetary costs not originally provided to the Village of Nunda for 2018 for this Joint Venture.

From: A1990.4	Contingency Account	\$2,000.00	
	To: A3120.4	Police	\$2,000.00

**MOTION** was made by Trustee Wilcox, on Clerk-Treasurer Wood's recommendation, to transfer \$2,000.00 from the contingency account to the Police Department to cover costs associated with the operation of this department for 2018, seconded by Deputy Mayor Snyder. Carried 3-0.

**Old Business**

A. Compensatory Time-Off removed from Employee Policy

Mayor Morgan tabled this discussion until the Board can speak to the employees and determine their concerns with keeping or removing this from the employee policy.

B. Village Park Rules Sign – Trustee Wilcox delivered to local vendor – work to be completed within the month,

C. Shared Services Agreement – Nunda Government Center

D. Discussion on burning procedures

Mayor Morgan discussed this with Code Enforcement Officer Mullikin and Board members extensively. CEO Mullikin stated he would ascertain additional information related to this topic and provide for discussion at the next regularly scheduled Board meeting next month.

E. Mortar work at 1 Mill Street

F. GML Article 6 Section 121A – Police Department

- G. Sewer Ordinance
- H. Soliciting Ordinance
- I. Property and Building Nuisance Law

Mayor Morgan stated the first version of this Local Law is being drawn up by the Village Attorney at this time.

### **Policy Review**

A. Employee Policy Review – Tabled – Mayor Morgan requested a schedule meeting to take place Wednesday, September 19, 2018 at 6:30 AM at the Nunda Government Center between the Village employees and Trustee Wilcox.

### **Other Business**

#### A. Police Department 50/50 split

Deputy Mayor Snyder mentioned Village Attorney Meyer stated that because the Town had approved a budget for the Joint Police Department over the past several years with the budget being split 50/50 on the expenses for this Joint Venture this did constitute a 50/50 split. Attorney Meyer also agreed with Police Commissioner Morris that a formal Resolution of both Boards *together* would be appropriate to pass constituting the 50/50 split in expenses.

#### B. Close Public Hearing

**MOTION** was made by Deputy Mayor Snyder at 8:12 PM to close the public hearing on Local Law consideration of year-long Moratorium on construction of multi-family and two-family residential units, seconded by Trustee Wilcox. Carried 3-0.

#### C. Feral cats

Discussed with the Village Board members extensively. Mayor Morgan has spoken to several residents with whom feed these cats and that ownership of these cats once they have been fed is now with the individual who feeds them. Mayor Morgan also provided the Village Local Law on feral cats to several residents. Discussion also with the local veterinarian on having these feral cats spayed or neutered would require additional research and information from the local Department of Health prior to any action being taken. Research still be conducted.

#### D. Discussion of employment history of Police Chief

**MOTION** was made by Trustee Wilcox to enter into executive session at 8:20 PM to discuss the employment history of Village employee Jeffery Wilcox, seconded by Deputy Mayor Snyder. Carried 3-0.

**MOTION** was made by Deputy Mayor Snyder to exit executive session at 8:45 PM, seconded by Trustee Wilcox. Carried 3-0.

### **Communications/Information Items**

#### A. Livingston County Association of Village Dinner

Mayor Morgan, Deputy Mayor Snyder, and Trustee Wilcox to attend.

### **Adjournment**

With no further business to be discussed, the motion to adjourn was made Trustee Wilcox, by seconded by Deputy Mayor Snyder at 9:01 PM. Carried 3-0.

Respectfully submitted,

LeRoy J. Wood  
Clerk-Treasurer