

September 9, 2013

A regular meeting of the Nunda Village Board of Trustees and a Public Hearing on Proposed Local Law No. 2 of 2013, Local Traffic Laws, was held on September 9, 2013 with the following present:

**Mayor: Jack Morgan**

**Deputy Mayor: Reggie Grosse**

**Trustees: Jeff Essler**

**Doug Gray**

**Bob Cox**

**Clerk-Treasurer: Lori Gray**

**Code Enforcement/Zoning Officer: Shawn Grasby**

**Town & Village Historian: Valerie Griffing**

**Superintendent DPW/Sewer: Ron Macomber 7:41 P.M.**

**Citizens: Ron & Betty Adam**

**Ken Veneron**

**Barb Baldwin**

**Joseph Colombo**

**Gary Brink**

**Sandy Bartholomew**

**Marie Schoenacker**

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

**Roll Call – All Present**

**Pledge of Allegiance led by Clerk-Treasurer Gray**

#### **Visitor's Forum**

- A. Val Griffing: 175<sup>th</sup> (Demisemiseptcentennial) Anniversary Celebration – Ms. Griffing gave a brief history of the Incorporation of the Village on April 26, 1839. Would like to define a time frame (one day, one week, etc.) for celebration events and pull together an outline of a designated area, such as the NYS Main Street Grant area. She would like to obtain histories on houses (stories, list of previous owners, photos) by sending a questionnaire to property owners.

Mayor Morgan would like to begin getting homes on the National Register and suggested having a competition for naming the 175<sup>th</sup> Celebration, post history on the web with a trivia quiz, get churches involved (old fashioned church service). The Civil War Flag has been returned since restoration, some reenactments could take place. Begin creating an archival copy of letters, photos, etc. Folks could come into the office strictly for this purpose and have documents scanned. Also suggested a reenactment of the Patty Lewis Program from the Town's anniversary celebration.

Mr. Joseph Colombo requested that the Veterans not be left out.

- B. Thomas Mann: Court Schedule – not present

#### **Approval of Minutes**

- A. August 12, 2013

**BE IT RESOLVED** that the Nunda Village Board of Trustees approve the minutes as presented. The motion was made by Trustee Gray, seconded by Trustee Cox. Carried 5-0.

#### **Approval of Bills**

- A. General Fund Loan to Youth Recreation Fund

**BE IT RESOLVED** that the Nunda Village Board of Trustees approve a loan of \$2,500 from the General Fund to Youth Recreation Fund for the purpose of paying bills until the Program Share of funding is received from

the Towns of Nunda and Portage. The motion was made by Trustee Cox, seconded by Trustee Gray. Carried 5-0.

B. Abstract No. 3

**BE IT RESOLVED** that the Nunda Village Board of Trustees approve the bills for payment on Abstract No. 3 as follows:

GENERAL- \$28,288.37  
WATER - \$13,670.59  
SEWER - \$13,544.38  
YOUTH- 1,799.90  
**TOTAL - \$57,303.24**

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

C. Chatfield Engineers Pay Application No. 2

**BE IT RESOLVED** that the Nunda Village Board of Trustees approve the bills for payment on the Chatfield Engineers Pay Application No. 2 in the amount of \$95,790.64. The motion was made by Trustee Cox, seconded by Trustee Essler. Carried 5-0.

D. CBDG Drawdown #12

**BE IT RESOLVED** that the Nunda Village Board of Trustees approve the bills for payment on CBDG Drawdown #12 in the amount of \$107,997.17. The motion was made by Trustee Essler, seconded by Trustee Cox. Carried 5-0.

## Reports

A. Police: presented by Trustee Cox & Trustee Gray

1. Monthly Report: August 2013
2. Town of Nunda Budget Report: August 2013 -unavailable
3. Payroll Reports: 8/11-8/24/13
4. Proposed Police Budget 2014: Village Commissioners not in favor of a budget increase, however they are in favor of raises for the officers. Need to find other areas to cut costs.

B. Code Enforcement/Zoning: presented by Officer Grasby

1. Monthly Report: August 2013
2. Update: Rathbun Property – no progress
3. Fire Inspections Status: Village Clerk received several completed, Officer Grasby to follow-up on remainder with violations to be fixed

C. Sewer/DPW: presented by Superintendent DPW/Sewer Ron Macomber

1. Roy Teitsworth, Inc. Auction: Zero-turn mower \$3200, Cub Cadet \$390, Truck \$4850
2. Motor Vehicle Accident damaged trees on Mill St. Received \$2128.50 from Insurance
3. Sanford Drive paving job completed
4. DAKKSCO to begin D.I. work soon on West St.
5. Advertise for new full-time employee, start date of October 15th: Qualifications desired would be a CDL License, Mechanical and Fabrication abilities. Interviewing Committee to consist of Trustee Cox, Trustee Gray, Ron Macomber and Troy Bennett.
6. New line from Water Plant in service
7. Brian Emke begins Sewer School week of September 9<sup>th</sup>
8. DEC request for Tree Inventory, Mayor to provide letter received to Ron

D. Water

1. Billing for Winter Water Service Repair: 9406 Route 408 – Trustee Essler stated that this past winter, the Village had been unable shut off the lead corp to the main at 9406 Route 408 and called in DAKKSCO. During the excavation, a bad piece of galvanized pipe that was leaking on the Douglass property, was discovered. The pipe was replaced. The bill presented is strictly for

labor, there is no charge for materials. In fairness to the property owner, they should not be responsible for the full amount of labor costs.

**BE IT RESOLVED** that the Nunda Village Board of Trustees waive the entire billing for Winter Water Service Repair to Katie Douglass. The motion was made by Trustee Essler, seconded by Trustee Cox. Carried 5-0.

2. Well Blowoff Connection to new Backwash System Completed
3. Backwashing Controls Out, Rotork coming out tomorrow
4. Fabrication needed for the sander on new snow plow truck.

**BE IT RESOLVED** that the Nunda Village Board of Trustees approve the fabrication of the sander by J&S Custom Steel Fabrication at a cost of \$465.00. The motion was made by Trustee Essler, seconded by Trustee Cox. Carried 5-0.

5. Nunda Fire Department Back-up Generator: The NFD's contract has expired for the Annual Maintenance Agreement Inspection with Emergency Power Systems for the generator inherited by the Village. The Village will need to assume costs in January. In addition, Larry Mallaber has made a request for the Village to allow the NFD to add the inspection of their new generator to the Village's contract as a discount could be obtained. The expense would be deducted from the Yearly Fire/Ambulance Contract. Contract would be \$575.00 each for Water Plant and Waste Water Treatment Plant, \$525.00 for the Village Building and \$550.00 for the NFD. Contracting with a different company is difficult. Electrician Doug Hesse is not a dealer, therefore unable to get parts at a discount. Costs would actually be higher.

**BE IT RESOLVED** that the Nunda Village Board of Trustees continue the Annual Maintenance Agreement Inspection Contract with Emergency Power Systems, to include the generator owned by the Nunda Fire Department, with the expense of the contract cost for the Nunda Fire Department to be deducted from the Yearly Fire/Ambulance Contract with the Village. The motion was made by Trustee Cox, seconded by Trustee Essler. Carried 5-0.

Mayor Morgan declared the Public Hearing on Proposed Local Law No. 2 of 2013, Local Traffic Laws open at 7:52 P.M.

E. Justice

1. Monthly Reports: August 2013- unavailable

F. Treasurer's Reports: presented by Clerk-Treasurer Gray

1. August 2013

G. ZBA/Planning Board

1. Resignation Bill Davis, Planning Board effective January 1, 2014 – no action taken
2. Minutes: September 3, 2013

H. Youth Recreation: presented by Trustee Cox

1. Committee Meeting held August 31, 2013
2. Proposed Budget 2014

**BE IT RESOLVED** that the Nunda Village Board of Trustees accept the reports as presented. The motion was made by Trustee Gray, seconded by Trustee Essler. Carried 5-0.

**Public Hearing Comments**

Barb Baldwin stated that a 2 hour parking limit is not a reasonable time for Baldwin Business Services clients. She questioned why the Village even needs 2 hr. parking.

Mayor Morgan explained the reasoning for the proposed law. The Village is in violation in many areas,

particularly handicapped- parking areas. Need to pass this law in order to proceed further with measurements, schedules for 2 hr parking, etc. and then changes can be made without a new law or public hearing. Also need to determine parking areas in the Village right-of-way from 2AM – 6AM.

Marie Schoenacker: How is eligibility determined for extended parking permits and enforcement? Some business owners park 1 or 2 cars in the Mall all day. This law doesn't solve the issue. Would like to see #5, Bullet 4 removed - "Street parking in the following areas will be designated as 2-hour parking: the area from intersection of route 408 with route 436, proceeding north on route 408 as far as Massachusetts St. (on both sides of the street); the area proceeding east along route 436 from West Street to Church Street (both sides of the street); and the area proceeding east along East Street from its intersection with State Street as far as Church Street (both sides of street). Parking in the Village Mall will remain 2-hour parking."

Ron Macomber stated he has been monitoring the parking situation. Areas get filled up especially at lunch time.

Gary Brink stated that in previous laws, business owners & employees could not park in the Mall, in front of their businesses.

Trustee Essler could pass the law with the 2 hour parking eliminated throughout the Village.

Joseph Colombo stated that the 2AM-6AM parking restriction should be eliminated, making the last bullet of #5 all the time- "There will be no parking in the Mall Parking Lot nor on any streets or highways (including curb lawns and driveway aprons) in the village between the hours of 2AM and 6AM at any time of year."

Marie Schoenacker suggested that the last bullet be separated into 2 bullets.

Betty Adam commented that Businesses/Merchants should park elsewhere so that patrons can visit businesses.

Sandy Bartholomew parks in the space located on Mill Street, closest to her business. She feels it is unreasonable for her to park in the Municipal Parking Lot when she comes to work at 4:00 AM, while another merchant parks their vehicle in the Mall handicapped parking space all day.

Barb Baldwin spoke regarding the poor visibility caused by parked vehicles on Mill Street from the flashing light to her home.

Mayor Morgan declared the Public Hearing Closed at 8:55 PM

### **New Business**

- A. Four Way Stop Sign: Massachusetts & Church Streets - Trustee Cox has been approached by residents in the area. Lots of children at play, some unsupervised. DOT prefers various roads to have continuous flow.

**BE IT RESOLVED** that the Nunda Village Board of Trustees approve the installation of a 4 way Stop Intersection at Church Street and Massachusetts Street. The motion was made by Trustee Cox, seconded by Trustee Essler. Defeated 1 Aye (Cox)-2 Nay (Gray, Essler)-2 Abstain (Morgan, Grosse)

- B. Employee Recognition: Mayor Morgan presented a New York Conference of Mayors Certificate to Ron Macomber in recognition of 30 years of service to the Village.

- C. Tax Bill- 17 South State Street

**BE IT RESOLVED** that the Nunda Village Board of Trustees approve the waiver of penalties in the amount of \$65.21 incurred on the property tax bill for 17 South State Street, as a change of ownership coincided with the mailing of bills, and the new owner did not receive such billing. The motion was made by Trustee Cox, seconded by Trustee Essler. Carried 5-0.

### **Old Business**

- A. Village Property Route 408: Annexation- temporarily postponed
- B. Village Playground Repairs, additional 2 broken springs: Slide will not be replaced at this time. Clerk Gray to obtain quote for spring replacement for next meeting.

**BE IT RESOLVED** that the Nunda Village Board of Trustees have the referenced repairs in the Playground Inspection Report, not to include the slide, fixed by Village DPW. The motion was made by Trustee Essler, seconded by Trustee Gray. Carried 5-0.

- C. Parking Mill Street: NYSDOT will allow the elimination of parking spaces, but must be State approved. Need to do further evaluation.

### **Other Business**

- A. Water/Sewer Schooling for Employees: Brian Emke currently attending Sewer School. Markus Hugi still needs to obtain water license, has already attended school. Needs to accumulate hours at the Water Plant and learn necessary checklist items for the walk through evaluation, in addition to having a letter of recommendation written by Chief Water Operator Troy Bennett.
- B. The Piraino's have asked Trustee Essler for an update on the request for flags on the stop signs located at the intersection of Mill St. & Church St. Mayor Morgan will contact NYSDOT with the request.

### **Communications/Information Items**

- A. Calendar: September & October 2013
- B. Richard Beardsley: Melodee Lane Letter
- C. Association of Village Boards of Livingston County
- D. Time Warner Cable
- E. Livingston County Planning Board

Further discussion amongst the Board regarding the proposed law included the suggestion of removing the street parking bullet, but keep 2 hr parking in the mall. Trustee Essler does not want to see 2 hr parking in front of Douglass Ford. Customers drop off cars the night before or early in the morning for service needs. Also need to look at parking on Mill Street further.

**BE IT RESOLVED** that the Nunda Village Board of Trustees amend Proposed Local Law No. 2 of 2013, Local Traffic Laws removing "Street parking in the following areas will be designated as 2-hour parking: the area from intersection of route 408 with route 436, proceeding north on route 408 as far as Massachusetts St. (on both sides of the street); the area proceeding east along route 436 from West Street to Church Street (both sides of the street); and the area proceeding east along East Street from its intersection with State Street as far as Church Street (both sides of street). Parking in the Village Mall will remain 2-hour parking." The motion was made by Trustee Essler, seconded by Trustee Gray. Carried 5-0.

Mayor Morgan declared a message of necessity so that the law could be passed immediately. Clerk Gray made the requested amendment to the proposed law and distributed copies of the law in its final form to all Trustees.

**BE IT RESOLVED** that the Nunda Village Board of Trustees approve Revised Proposed Local Law No. 2 of the year 2013: Local Traffic Laws and therefore will hold a Public Hearing at the Nunda Government Center, 4 Massachusetts Street, Nunda, New York, on the 14th day of October, 2013 at 7:15 P.M. to hear all interested parties and citizens for or against the adoption of such law. The purpose this Local Law shall be to promote the safety and general welfare of the Village of Nunda, including the protection and preservation of the peace and good order by adopting and enforcing certain regulations, rights and privileges of the residents of the Village of

Nunda and by imposing restrictions upon parking and traffic flow in the Village limits. The motion was made by Trustee Essler, seconded by Trustee Gray. Carried 5-0.

With no further business to be discussed, the motion to adjourn was made by Trustee Gray at 9:56 P.M., seconded by Deputy Mayor Grosse. Carried 5-0.

Respectfully submitted,

Lori J. Gray  
Clerk-Treasurer