

The Regular Meeting of the Nunda Village Board of Trustees was held on September 14, 2015 with the following present:

Mayor: Robert Cox  
Trustees: Jeffery Essler  
Jack Morgan  
Darren Snyder

Village Justice: Judge James R. Mann Jr.  
Code Enforcement/Zoning Officer: Mark Mullikin  
Chief Water Operator/Superintendent Department of Public Works/DPW Representative: Brian Emke  
Chief Waste Water Treatment Operator: Markus Hugi  
Clerk-Treasurer: Absent  
Deputy Clerk-Treasurer: LeRoy Wood

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

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

Pledge of Allegiance led by Trustee Morgan

Visitor’s Forum

Approval of Minutes

A. August 10, 2015

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

Approval of Bills

A. Abstract No. 3

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

GENERAL -	\$ 12,452.54
WATER -	\$ 7,725.50
SEWER -	\$ 5,949.10
YOUTH -	<u>\$ 2,429.00</u>
<b>TOTAL -</b>	<b>\$ 28,556.14</b>

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

Reports

A. Police

1. Monthly Report: August 2015
2. Town of Nunda Budget Report: August 2015
3. Payroll Reports: 7/25/2015 – 8/22/2015
4. Police Account – Abstract
5. Police Budget Submission Worksheets for Town 2016

B. Code Enforcement/Zoning

1. Monthly Report: August 2015

C. Sewer

1. Fall Land Spreading – samples taken approximately 9/15/2015 when corn is down; results in two weeks
2. East Sludge Pump – gear assembly broken; recommend repair: discussion on pump replacement Chief Hugi mentioned four-five years ago pump replacement was approximately \$2500.00. Chief Hugi stated he does have service records for this pump dating back to 1982. As presented, a quote of \$400.00 plus travel expenses to disassemble and inspect this pump to ascertain repair costs from Siewert Equipment was discussed and approval to move forward with this service was agreed upon. Village is to contact Siewert Equipment to schedule appointment for service work to be performed.

D. Department of Public Works

1. August 2015 Calendar
2. Assembled/repared park equipment (ladder, spring loaded playground equipment)
3. Leaf box for dump truck – 2 quotes – budgeted equipment purchase

**BE IT RESOLVED** that the Nunda Village Board of Trustees approve the purchase of a Leaf Box for the Village Dump Truck at a cost of \$ 4,146.00 from JS Custom Steel Fabrication. The motion was made by Trustee Essler, seconded by Deputy Mayor Amrhein. Carried 5-0.

4. Welder – 2 quotes - **board approval required** – Mayor Cox requested further research of this item with additional quotes be attained and discussed at a later date.

5. Electrical Services Quote for DPW Building

**BE IT RESOLVED** that the Nunda Village Board of Trustees approve the purchase of a beam and door for the DPW Building not to exceed \$ 4,000.00. The motion was made by Trustee Essler, seconded by Deputy Mayor Amrhein. Carried 5-0.

5A. Mayor Cox made a motion to schedule an Emergency Meeting of the Nunda Village Board of Trustees for discussion of the DPW Building repairs and time constraint in completing this project.

**BE IT RESOLVED** that the Nunda Village Board of Trustees approve the scheduling of an Emergency Meeting, September 22, 2015, at 6:30 P.M., for the discussion of repairs to the Department of Public Works Building. The motion was made by Mayor Cox, seconded by Trustee Snyder. Carried 5-0.

6. Leaf Machine repaired – ready for season

7. North side of East Street drainage replaced – FEMA Project

8. Shoulders completed on Gibbs's, Price, North Walnut and North Church Streets

E. Water

1. Water Operator Certification Course Grade A for Daniel Strobel - budgeted course

**BE IT RESOLVED** that the Nunda Village Board of Trustees approve the attendance of Daniel Strobel for the Western New York Water Operator Grade A Water Operator Certification Course from October 12 through October 23, 2015 in Tonawanda, New York, at a cost of \$875, in addition to books and lodging. The motion was made by Trustee Morgan, seconded by Deputy Mayor Amrhein. Carried 5-0.

F. Justice

1. Monthly Reports: August 2015

2. Justice Court Audit for calendar year 2014 – Judge Mann discussed and submitted the following Justice Reports; Annual Audit Checklist, Summary Report of Cases, Bail Activity Report, Judge Hotchkiss Annual Audit Report, Summary Report of Cases Started-Judge Hotchkiss, Nunda Village Court Report, and Livingston County Traffic Diversion Treasurer Report.

Mayor Cox took receipt of all reports. Mayor Cox reviewed all reports with the Nunda Village Board of Trustees. Mayor Cox then read aloud **all** line items on Justice Mann's Annual Audit Report with Judge Mann answering all questions accordingly.

**BE IT RESOLVED** that the Nunda Village Board of Trustees accept the 2014 Justice Audit Report as presented by Justice James R. Mann Jr., with the next Annual Village Court Audit to be held during the regular meeting of the Nunda Village Board of Trustees in March 2016. The motion was made by Trustee Morgan, seconded by Deputy Mayor Amrhein. Carried 5-0.

G. Treasurer's Reports

1. August 2015 to be submitted and discussed at the next Nunda Village Board of Trustees regular meeting scheduled in October 2015

2. Budget Modification – FEMA Funds Appropriation

**BE IT RESOLVED** that the Nunda Village Board of Trustees approve the following budget modification, appropriate unexpended FEMA Funds in the amount of \$38,241.06 to A8745.4 – Flood and Erosion Control. The motion was made by Trustee Essler, seconded by Trustee Morgan. Carried 5-0.

H. ZBA/Planning Board

I. Youth Recreation

**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 Morgan. Carried 5-0.

New Business

A. Change of Date - October Village Board Meeting – Observance of Columbus Day

**BE IT RESOLVED** that the next regular meeting of the Nunda Village Board of Trustees scheduled for October 12, 2015 be changed to October 19, 2015 at 7:00 PM due to the observance of Columbus Day. The motion was made by Trustee Morgan, seconded by Trustee Essler. Carried 5-0.

B. Return of Village Taxes to County Treasurer

**BE IT RESOLVED** that the delinquent Village Taxes that remain unpaid on September 30, 2015 be returned to Livingston County Treasurer for re-levy. The motion was made by Trustee Essler, seconded by Deputy Mayor

Amrhein. Carried 5-0.

C. Resignation of Registrar of Vital Statistics

**BE IT RESOLVED** that the Nunda Village Board of Trustees accept the resignation of Lori J. Gray as Registrar of Vital Statistics effective August 13, 2015. The motion was made by Deputy Mayor Amrhein, seconded by Trustee Snyder. Carried 5-0.

D. Appointment Registrar of Vital Statistics

**BE IT RESOLVED** that the Nunda Village Board of Trustees appoint LeRoy J. Wood Registrar of Vital Statistics effective August 13, 2015. The motion was made by Trustee Morgan, seconded by Deputy Mayor Amrhein. Carried 5-0.

E. Retirement of Clerk-Treasurer

**BE IT RESOLVED** that the Nunda Village Board of Trustees accept the formal Letter of Retirement of Lori J. Gray as Clerk-Treasurer, with thanks and regrets, effective September 29, 2015. The motion was made by Trustee Morgan, seconded by Trustee Essler. Carried 5-0.

F. Resignation Deputy Clerk-Treasurer

**BE IT RESOLVED** that the Nunda Village Board of Trustees accept the resignation of LeRoy J. Wood as Deputy Clerk-Treasurer effective September 29, 2015. The motion was made by Deputy Mayor Amrhein, seconded by Trustee Essler. Carried 5-0.

G. Appointment of Clerk-Treasurer

**BE IT RESOLVED** that due to the retirement of Clerk-Treasurer Lori J. Gray, the Nunda Village Board of Trustees appoint LeRoy J. Wood to the position of Clerk-Treasurer, pursuant to Village Law Section 4-402 and 4-408, effective September 30, 2015 at the salary rate of \$35,100 per year. The motion was made by Trustee Essler, seconded by Trustee Snyder. Carried 5-0.

H. Village Appointments effective September 30, 2015

Clerk of the Board	LeRoy J. Wood
Fair Housing Officer	LeRoy J. Wood
Tax Collector	LeRoy J. Wood

Secretary Village of Nunda Revitalization Review Board – Local Law #1-2009, LeRoy J. Wood

**BE IT RESOLVED** that the Nunda Village Board of Trustees approve the appointments as listed by Mayor Cox effective September 30, 2015. The motion was made by Trustee Morgan, seconded by Trustee Snyder. Carried 5-0.

I. Joint Village/Town Meeting at 7:00 P.M. on September 22, 2015

**BE IT RESOLVED** that the Nunda Village Board of Trustees call a Joint Meeting of the Village Board of Trustees and the Nunda Town Council for the purpose of discussing the Joint Town/Village shared services - Nunda Police Department to be held September 22, 2015 at 7:00 P.M. The motion was made by Trustee Essler, seconded by Deputy Mayor Amrhein. Carried 5-0.

J. Five Star Certificate of Deposit renewal. The Certificate of Deposit matures on September 18, 2015; from that point the CD will earn 0% interest unless renewed. There are ten days from the mature date that the Village can either renew with current banking institution or look elsewhere for a better interest rate. Trustee Morgan recommended looking at our local banking institutions to see if the Village can attain a better rate. Research will be conducted and presented at the next Nunda Village Board of Trustees meeting scheduled for September 22, 2015.

K. County Planning Board Referral Exemption Agreement Update. Deputy Mayor Amrhein expressed interest in attending.

L. Bank Accounts

**BE IT RESOLVED** that due to the retirement of Clerk-Treasurer Lori J. Gray, the Nunda Village Board of Trustees does hereby remove her as a signatory from all bank accounts effective September 30, 2015; and **BE IT FURTHER RESOLVED** that LeRoy J. Wood, as Clerk-Treasurer be added as a signatory on all bank accounts, along with Mayor Robert P. Cox. The motion was made by Trustee Morgan, seconded by Trustee Snyder. Carried 5-0.

**Old Business**

A. Water Tap Policy – Billing Policy – The committee made the determination that current Local Law No. 1-2004, Water Rules and Regulations be followed having applicant, after conclusion of construction of any water main, shall be made at the expense of the applicant on a cost basis for time and materials used.

B. Nunda Zoning Law: Temporary Structures – The committee reviewed current Zoning Law Revision as pertaining to temporary structures, cost and one year temporary structure permit timetable allowed. Review of charges, fees, and criminal summons for non appearance was discussed with recommendation being

added to current revision. All changes to current revision will be submitted to Village Attorney for review and discussion.

C. Sidewalks

D. Water/Sewer Extension Route 436 – Livingston County Department of Health, NYSDOT and Chatfield Engineers correspondence. Chatfield Engineers received correspondence back from New York State. Report has been reviewed. The Village did receive action from New York State Department of Transportation, as lead agency for attaining a Highway Work Permit. This action is to be completed forthwith, per Mayor Cox. Coordinated efforts by both the Town and Village DPW Supervisors would need to be managed in completion of the Highway Work Permit Application.

### **Other Business**

Discussion on individuals playing basketball on Village Streets during early morning hours, 2:00 AM – 3:00 A.M. was brought to the Nunda Village Board of Trustees attention. Individuals having this concern have been informed to contact the Police Department as this is a Police matter and should be resolved in this manner.

**BE IT RESOLVED** that the Nunda Village Board of Trustees enter Executive Session at 10:06 P.M. for the purposes of discussing proposed, pending, and current litigation. The motion was made by Trustee Morgan, seconded by Deputy Mayor Amrhein. Carried 5-0.

**BE IT RESOLVED** that the Nunda Village Board of Trustees exit Executive Session at 10:25 P.M. The motion was made by Trustee Morgan, seconded by Deputy Mayor Amrhein. Carried 5-0.

### **Communications/Information Items**

A. Calendar: September and October 2015

B. Time Warner Cable

C. Fall 2015 Land Use Decision-Making Training Program for Planning and Zoning Boards

D. New York State and Local Retirement System Estimation of 2016 Contributions

E. NYCOM Pension Contribution Rates for 2016-2017

F. NYS Public Service Commission

**BE IT RESOLVED** that the Nunda Village Board of Trustees approve the use of the meeting room, located on village property at 1 Mill Street, Nunda, New York for local Boy Scout Troop meeting and storage of equipment. The motion was made by Trustee Morgan, seconded by Deputy Mayor Amrhein. Carried 5-0.

### **Adjournment**

With no further business to be discussed, the motion to adjourn was made by Mayor Cox at 10:26 P.M., seconded by Deputy Mayor Amrhein. Carried 5-0.

Respectfully submitted,

LeRoy J. Wood  
Deputy Clerk-Treasurer