

August 13, 2018

The Regular Meeting of the Nunda Village Board of Trustees was held on August 13, 2018, at the Nunda Government Center Building, at 7:00 PM with the following present:

Mayor: Jack Morgan
Deputy Mayor: Darren Snyder
Trustees: Mel Allen
William McTarnaghan
Donald Wilcox

Water and Streets Superintendent: Troy Bennett
Waste Water Treatment Operator: Markus Hugi arrived at 7:08 PM
Code Enforcement/Zoning Officer: Mark Mullikin
Youth Recreation Director: John Gordinier
Clerk-Treasurer: LeRoy Wood
Deputy Clerk-Treasurer: Mechelle Gillen

Citizens: Larry Mallaber Ron Adam Tim Cassidy Sr.
One unknown visitor

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

Roll Call: Trustee William McTarnaghan arrived at 7:02 PM

Pledge of Allegiance: led by Mayor Morgan

Visitor's Forum

Larry Mallaber along with Troy Bennett representing the Nunda Fire Department presented the Fire Department/Emergency Medical Services budget for 2019 – 2020. The budget presented did have an increase, as explained by Mr. Bennett due to state and federal mandates of increased insurance coverages and required equipment upgrades. Current costs for the Fire Department over the past two years has been \$45,623.00 annually. The requested *line item* budget request would now be \$50,405.00, or 9.48% increase from this year. The *overall* Village Budget would increase 1.08% annually with this expenditure.

Larry Mallaber also mentioned the purchase of a new 2018 pumper tanker in the near future.

Resolution no. 2018-035

BE IT RESOLVED that the Nunda Village Board of Trustees approve and accept the 2019/2020 Nunda Fire Department Budget of \$ 50,405.00. The motion was made by Deputy Mayor Snyder, seconded by Trustee Allen. Carried 5-0.

Mayor Morgan thanked both Larry Mallaber and Troy Bennett for the presentation of the budget.

Youth Recreation Program Director John Gordinier presented an end of year program report to the Village Board. The six-week program was another success with field trips to Letchworth State Park, local bowling alley, Minnehans, and Seabreeze. Director Gordinier also discussed the interaction and working relation the program had with the Nunda Historical Society. Director Gordinier mentioned different ways of advertising the program to the public next year.

Director Gordinier also wanted to publicly thank Martha Blair, Mr. Kopp, Keshequa Schools Superintendent and the Keshequa Schools Transportation Department, Brenda Weaver representing the Salvation Army in the providing of snacks for the children, and all of the local business that participated in support of the program.

Approval of Minutes

A. July 9, 2018

MOTION was made by Trustee Allen to approve the minutes as presented and reviewed, seconded by Deputy Mayor Snyder. Carried 5-0.

B. July 16, 2018

MOTION was made by Trustee Wilcox to approve the minutes as presented and reviewed, seconded by Trustee McTarnaghan. Carried 5-0.

Approval of Invoices

A. Abstract No. 008

The Nunda Village Board of Trustees has reviewed and approve invoices for payment on Abstract no. 008 as follows:

GENERAL -	\$ 15,779.87
WATER -	\$ 3,240.96
SEWER -	\$ 4,832.01
YOUTH-	\$ 3,030.38
WWTP CIP	<u>\$ 3,899.00</u>
TOTAL –	\$ 30,782.22

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

Reports

A. *Police*

1. Monthly Report of Complaints – July 2018
2. Monthly Police Report – July 2018
3. Community Policing Report – July 2018
4. Payroll Reports – July 2018
5. Police Abstract – July 2018
6. Town of Police Budget Report – not provided
7. Police Chiefs Uniform Log – July 2018

Discussion took place on the municipalities Attorney to show up at a Police Commissioner’s Board Meeting to discuss the agreement between the Town of Nunda and the Village of Nunda on the Police Department.

Deputy Mayor Snyder provided a copy of the mini-bid for a replacement vehicle for the police department. Discussion on reuse of current equipment being transferred to new vehicle took place, including when in the future to purchase vehicle.

Trustee Allen expressed to go with the Tahoe.

Trustee Wilcox stated he talked with Town Councilperson Randy Morris as he would go with the Tahoe.

MOTION was made by Mayor Morgan to accept the approved recommendations of the Police Commissioners to purchase the Tahoe from provided mini-bid through the New York State Procurement Services, seconded by Trustee Wilcox. Carried 5-0.

Mayor Morgan discussed the crossing guard program, update? Trustee Allen mentioned Town Councilperson Randy Morris was in opposition of running this program through the police department because it is believed the Town of Nunda should not have to pay for these services because the placement of the crossing guards would be in the Village. Tabled for now.

B. *Code Enforcement/Zoning*

1. Monthly Report – July 2018

C. Sewer

1. Update on WWTP Project

A meeting at MRB Group with JP took place. Completed *grant request* submitted for disinfection system sent on time. A meeting should be set-up with the Village Engineer and Financial Consultant, short term financing must be established prior to April 2019 in order to keep grant monies already dedicated to project at WWTP.

2. Tractor purchase - Poly blade edge on order.

3. Sludge removal services update

Several companies were contacted to have this service performed. Only one company was able to work within the schedule of the WWTP after *required* analyses are completed prior to any spreading being conducted.

MOTION was made by Trustee Wilcox to allow Dixon Environmental to provide sludge removal for the Waste Water Treatment Plant at this time, seconded by Trustee Allen. Carried 5-0.

D. Department of Public Works

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

2. Deputy Mayor Snyder asked about paving. Superintendent Bennett mentioned he was looking at paving South Walnut and possibly a portion of Keating Lane. Spallina's would be contacted to ascertain pricing.

E. Water

1. Roof at Water Treatment Plant to be discussed later in meeting

F. Justice

1. Monthly Reports – July 2018

G. Treasurer's Reports

1. Monthly Treasurer's Reports – July 2018

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

3. Collateralization Report – July 2018 – not received

Clerk-Treasurer Wood provided a copy of the July 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 match* the Treasurer's Report, as presented.

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

I. Youth Recreation

1. Letters of Appreciation to the following for their support of this year's Program;

Martha Blair

Mr. Kopp, Keshequa Schools Superintendent

Keshequa Schools Transportation Department

Brenda Weaver, Salvation Army

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 Allen. Carried 5-0.

New Business

A. Reserve Funds

Clerk-Treasurer Wood reached out to NYCOM and the New York State Comptroller's Office to ascertain information in reference to the Village Reserve Accounts. In May 2015, reserve accounts were established as Equipment Reserves in the General, Water, and Sewer funds. "Equipment" specific is not a *viable name* for a reserve account. In discussion with the NYS Comptroller's Office, it was agreed that at the time of the establishment of these reserve accounts there was no ill-conceived notion in creating and naming these accounts, they were just misnamed. With extensive review of the New York State Office of the Comptroller's Local Management Guide – Reserve Funds, it was determined that all existing reserve accounts in all funds be changed to their intended use and correct name – Capital Reserve Fund – Type to be used for building alterations or equipment.

Resolution no. 2018-036

BE IT RESOLVED that the Nunda Village Board of Trustees approves *renaming* all equipment reserve accounts in the General, Water, and Sewer Funds, including reserve funds tied into a village certificate of deposit to now be named as – Capital Reserve Funds – Type, the motion was made by Deputy Mayor Snyder, seconded by Trustee Wilcox. Carried 5-0.

B. Mechelle Gillen resignation from DPW Department

MOTION was made by Mayor Morgan to accept the resignation of Mechelle Gillen as part time laborer at the Village of Nunda retroactive to July 28, 2018, seconded by Trustee McTarnaghan. Carried 5-0.

Superintendent Bennett wished to thank Mechelle for her work within his Department over the past year, and wished her well.

C. Compensatory Time

Mayor Morgan asked why the Board was discussing this topic.

Clerk-Treasurer Wood mentioned that this has been a concern of the Village Board for more than a year.

Mayor Morgan wanted to know what concerns were there.

Clerk-Treasurer Wood mentioned the following;

- Currently there is more than \$8,000.00 outstanding in compensatory time creating a heavy liability for the Village to bear.
- The action of monitoring this time virtually creates a bank account for each employee. Also stated, was that the Village is not in the *business* of monitoring bank accounts for its employees.
- The *time* required to process a *separate payroll* each time the employee requests reimbursement can be taxing on the Clerk-Treasurer's Office.
- Lastly, should an employee receive a pay raise this compensatory time "on the books", would be reimbursed back to the employee at the new higher pay rate, creating a reimbursement back to the employee for more than the employee earned when time was originally earned when working. Mayor Morgan tabled this for further discussion.

D. Roof at Water Plant

Superintendent Bennett presented concerns on the roof at the water treatment plant. The roof is leaking and would like to move forward in having building alterations correcting an aged roof

and to prevent further building and equipment damage. A prevailing wage scale has been submitted and received for this public work project. Discussion on the prevailing wage scale and proper advertising for sealed bids for this project were completed.

MOTION was made by Deputy Mayor Snyder to advertise for sealed bids for roof project and hold a special meeting of the Village Board on Monday, August 27, 2018 at 1:00 PM, at the Nunda Government Center at 4 Massachusetts Street, in said Village to open sealed bids for the public works project roof/building alterations at the Water Treatment Facility, seconded by Trustee McTarnaghan. Carried 5-0.

E. Roller

Superintendent Bennett presented two quotes for a Roller purchase that was budgeted for in this year's DPW Budget. Superintendent Bennett did state he did contact an additional vendor, however, they did not reply back on his request for a quote. This equipment was researched and is no longer available through the New York State Procurement Service (on NYS Contract).

MOTION was made by Deputy Mayor Snyder to purchase a 36 inch - 1.5-ton Roller to be used by the Village Department of Public Works, as budgeted, for a price of \$ 14,100.00 from Admar Construction Equipment & Supplies, seconded by Trustee Allen. Carried 5-0.

F. Correct Water Bill Account # 1438

Clerk-Treasurer Wood presented this water and sewer bill for correction. At the time of reviewing *all* bills, this bill was missed as to removing charges for water use and sewer charges. These charges did also create a larger penalty charge. This property did not have any water use during this time period. Per Village Local Law, should there be zero water use, a customer will not be charged water or sewer charges. Clerk-Treasurer Wood has asked to have these charges removed from this bill for this account in accordance with Village Local Law.

MOTION was made by Trustee McTarnaghan to remove all excess water and sewer charges including additional penalty charges for Water and Sewer Account # 1438 in accordance with Village Local Law, seconded by Trustee Allen. Carried 5-0.

G. 2018 Inter-municipal Agreement with Livingston County Highway Department

MOTION was made by Mayor Morgan to enter into an Inter-municipal Agreement with Livingston County Highway Department for the calendar year 2018, retroactive to January 1, 2018 through December 31, 2018, for the exchange or lend of materials or equipment which shall promote and assist the maintenance of roads and highways and provide cost savings by maximizing the effective utilization of both parties' resources, seconded by Deputy Mayor Snyder. Carried 5-0.

H. Deputy Clerk-Treasurer Seminar attendance

It has been recommended that Deputy Clerk-Treasurer Gillen attend an upcoming class on Microsoft Excel to enhance skill level of employee.

Old Business

A. Cyber Security Insurance

MOTION was made by Trustee McTarnaghan to provide the Village of Nunda with Cyber Security Protection through Tompkins Insurance Company at an annual cost of \$1,536.00, seconded by Mayor Morgan. Carried 5-0.

B. Village Park Rules Sign

Trustee Wilcox presented a copy of a proposed version of signage for the Village Park including rules while in the Park. Mayor Morgan and the remainder of the Village Board

thanked Trustee Wilcox for his work and efforts in creating the signage for review.

MOTION was made by Trustee Allen to allow Trustee Wilcox to contact local vendor and have a three-foot by four-foot sign created, per proposed version of the sign as presented, for posting at the Village Park, seconded by Deputy Mayor Snyder. Carried 5-0.

C. Shared Services Agreement – Nunda Government Center

D. Discussion on burning procedures

E. Mortar work at 1 Mill Street

F. Moratorium on conversion of single family dwellings – Local Law Review

MOTION was made by Trustee Allen to advertise and have a Public Hearing on the discussion of a proposed local law in reference to imposing a one-year Moratorium on construction of multi-family and two-family residential units within the Village of Nunda as set for the next regularly scheduled Village Board Meeting, September 10, 2018 at 7:00 PM, seconded by Trustee McTarnaghan. Carried 5-0

G. Sewer Ordinance

H. Soliciting Ordinance

Trustee Wilcox presented a version of an application for vendor soliciting.

I. Recreation and Parks Local Law Discussion

Trustee Wilcox presented a working version of a proposed Local Law. Two Village Board Members provided additional changes to this Local Law. Trustee Wilcox to provide an update of changes at the next regularly scheduled Village Board Meeting.

J. Property and Building Nuisance Law

Mayor Morgan is in discussion with Village Attorney as to moving forward with this action. Mayor Morgan has had the opportunity to discuss this concern with several landlords within the municipality and has received positive feedback at this time.

Policy Review

A. Employee Policy Review – Tabled

Other Business

A. Christmas in Nunda – Discussion with all Village Board members and Superintendent Bennett on placement of a Christmas Tree at the Village Mall area took place. *Where* to place a tree should one be donated for the season was not decided upon at this time.

Communications/Information Items

A. Action List – distributed

B. Semi-annual Report – Livingston County Dog Control

Adjournment

With no further business to be discussed, the motion to adjourn was made Trustee Allen, by seconded by Trustee McTarnaghan at 8:55 PM. Carried 5-0.

Respectfully submitted,

LeRoy J. Wood
Clerk-Treasurer