

At a regular meeting of the Board of Trustees of the Village of Morrisville, held the 6<sup>th</sup> day of August, 2020, via videoconferencing technology due to the coronavirus pandemic, there were:

Present:	Mark Shepard	Mayor
	Thomas Lane	Trustee
	Michael Higgins	Trustee
	Kathleen Roher	Trustee
	Judy Scholefield	Trustee
	Amy Will	Clerk-Treasurer
	Nadine Bell	Attorney

Others: Deb Babowicz, Director of Student Health Services, Graham Garner, Chief Officer for Communications & Marketing, Paul Field, Chief of University Police, on behalf of SUNY Morrisville

Mayor Shepard opened the meeting at 7:11 p.m. Clerk Will made the following statement: “This meeting is being held in compliance with Governor Cuomo’s Executive Order 202.11. Notice of this meeting was made to the news media at least seven days in advance and was also posted on the Village signboard and web site. The public may listen to or view this meeting via web-based video technology by using Zoom. Public comment will only be allowed this evening during the designated Public Comment section of the agenda. The public does not have the right to speak outside these allotted times and any public in attendance this evening will be muted at all other times.”

Clerk Will conducted a roll call and determined all members of the Board of Trustees were present for this meeting, representing a quorum.

Clerk Will stated that in person attendance is not permitted at this meeting. A transcript of this meeting will be available at a later date.

Minutes of the July 2, 2020 meeting were reviewed. Trustee Roher made a motion to adopt the minutes as written, seconded by Trustee Lane. The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

<b>Michael Higgins</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Kathleen Roher</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Thomas Lane</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Judy Scholefield</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Mark Shepard</b>	<b>Mayor</b>	<b>Voted</b>	<b>Yes</b>

The foregoing resolution was thereupon declared duly adopted.

**SUNY Morrisville Fall 2020 Plan:** Graham Garner discussed the plans implemented to return students to campus for the fall 2020 semester. A compressed schedule is planned with classes resuming on August 24 and all in person instruction completed before November Break. The college is requiring that all students, employees and guests coming to campus successfully complete a self-monitoring COVID-19 exposure risk screening for each day they are present, in addition to using proper face coverings. Mr. Garner clarified that all first and second year students are required to live on campus, with some exceptions. He said they are expecting 1,100 students to potentially live on campus. Mr. Garner noted that their ability to control the day to day activities of students who reside off campus is a little different from those on campus. Trustee Roher said she understood that all on-campus activities have been cancelled and there will be no sporting events, dances, etc., and questioned what students will do if there is nothing to keep them on campus. Mr. Garner said they will abide by state restrictions for gatherings. There will not be any gatherings with more than 25 people in accordance with current standards. In addition, they will not exceed 50% capacity of a given space either. Each student can have up to two guests within their own residence hall. For those students residing in The Commons, with suite arrangements, the total cannot exceed 10. Mr. Garner said the college will offer outdoor programming and activities for smaller groups.

He confirmed they will not have any of the larger events as they have in the past, and there will be no fans in the stands for any competition. He noted that intercollegiate competition has been cancelled for the fall. Trustee Lane commented that these are teenagers and with no activities on campus that pushes them into the village. He questioned how they will police that and stated that the village will need more interaction from University Police. Chief Field said they plan to address any large parties and intend to work with the Madison County Sheriff's Department as well as the NY State Police. They will try to immediately address gatherings before they get to be large. Chief Field continued that they will use education first, but will be very stern with regard to gatherings so their initial stance is clear and precise so students don't spiral out of control.

Trustee Lane remarked that some campuses are requiring a quarantine of students right off the bat, and those who reside together and do so become a "family pod". Deb Babowitz indicated they are fortunate that the large majority of their students are coming from New York State. SUNY Morrisville doesn't have a large population of individuals from high risk states or international locations. Ms. Babowitz noted there are less than 50 students coming here from a high risk state and each will be monitored and has a plan as to where they will quarantine.

Trustee Lane addressed a statement in their reopening plan that "it would be helpful if the community, especially for the Morrisville campus, could view us as linked to our community, instead of separate, as we have encountered issues with residents in the past." Trustee Lane noted that we feel the same way and suggested some type of campus/community group comprised of officials from the campus and village, students, University Police and perhaps the Sheriff's Department. Mr. Garner said he would be happy to revive the campus/community group that once existed and suggested that if there is anyone in particular that should be involved to let him know.

Chief Field asked whether it would help the village if University Police (UP) enforced some of the local laws such as peace and good order. Mayor Shepard and Trustee Lane confirmed the village welcomes the assistance of UP in enforcement of local laws. Eric Faisst stated that he has authority for local enforcement of executive orders from the state. He continued that if there are gatherings of over 25 people which is in violation, law enforcement can coordinate with him as there are fines and penalties associated with violations of those executive orders.

Mr. Faisst said with 4,600 students entering our communities over the next few weeks, the Department of Health is looking at local colleges as potential hotspots. His office is collecting waste water samples from Cazenovia, SUNY Morrisville and Hamilton to test for coronavirus as it can be detected in wastewater approximately seven days before it appears in the population. Using wastewater as a medium to test for viruses is common practice and has been for decades. This will be used as an early warning detection system. If his department sees something occurring, they will coordinate targeted testing in those communities.

Mr. Garner indicated he would be the point of contact on campus in the event of questions or concerns.

**Public Comment:** None.

**Code Enforcement Officer:** CEO Sutton submitted a written report for review.

**Department of Public Works:** Trustee Lane said the Village of Cazenovia has replaced their water meters. They have 28 new meters they would like to sell to us for \$45 each, and give us the hardware that goes with them. After discussion it was determined that Superintendent Commins should obtain something in writing from the Village of Cazenovia regarding their offer and the board will discuss at the September meeting.

Trustee Lane said Superintendent Commins suggested we secure a municipal credit card to facilitate making purchases from vendors where there may be a cost savings. Currently we are limited to making purchases from vendors where an account has been established. Clerk Will indicated this has been discussed in the past. If the board wishes to proceed a clear policy needs to be in place regarding use of the credit card. Attorney Bell said the key is to restrict who has access to the card. She will send policies of other municipalities for review and the board can determine what controls they want in place.

Trustee Lane advised the board of a plugged sewer lateral last week. The obstruction was on the south side of Route 20, at the west end of the village. Superintendent Commins was unable to get Kirley Septic and Sewer here to address the issue so he put a call into Drain Masters and they were here within 20 minutes. Trustee Lane directed Superintendent Commins to use Drain Masters in the future because of their responsiveness. The problem may be due to a collapsed pipe. Drain Masters will put a camera down the lateral to determine the cause, and the DPW can make the repair.

**Planning Board/Zoning Board of Appeals:** The Planning Board recently held public hearings regarding the applications of Alexander Sen and Crouse Community Center. Trustee Lane provided an update of what occurred at the meetings, both of which were adjourned. The board was provided with a letter from the Planning Board which requested the services of the village engineer to provide a review of Crouse Community Center’s storm water facilities as a whole so the village is aware of the impact to the village and can determine what the scope of any intermunicipal agreement or maintenance covenant and easement agreement with the property owner may be required. Engineer Dunkle’s estimate for providing this service was also provided to the board. Clerk Will noted that pursuant to village code, this request is being made to the Board of Trustees for consideration. Trustee Lane made a motion to seek professional guidance and services in connection with an application for site plan approval submitted by Alexander Sen, who shall reimburse the village for all reasonable and necessary legal, engineering and other professional consulting fees incurred by the Village in connection with the review and consideration of said application, seconded by Trustee Higgins. The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

<b>Michael Higgins</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Kathleen Roher</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Thomas Lane</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Mark Shepard</b>	<b>Mayor</b>	<b>Voted</b>	<b>Yes</b>

The foregoing resolution was thereupon declared duly adopted.

Trustee Roher made a motion to seek professional guidance and services in connection with an application for site plan approval submitted by Crouse Community Center, who shall reimburse the village for all reasonable and necessary legal, engineering and other professional consulting fees incurred by the Village in connection with the review and consideration of said application, seconded by Mayor Shepard. The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

<b>Michael Higgins</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Kathleen Roher</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Thomas Lane</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Mark Shepard</b>	<b>Mayor</b>	<b>Voted</b>	<b>Yes</b>

The foregoing resolution was thereupon declared duly adopted.

Clerk Will noted that that Trustee Scholefield had not been connected to the meeting for some time.

**Parking Enforcement:** The board discussed when the parking enforcement officer should resume work. Mayor Shepard suggested he start on August 17 at 10 hours for the first week and commence his regular schedule the following week. Warnings will be issued the first week.

**Law Enforcement:** The board was provided with the proposed contract with the Village of Hamilton to provide special courtroom law enforcement services on DA nights. The 2019 agreement has expired. Trustee Roher made a motion approving the contract and authorizing the Deputy Mayor to sign in the absence of the Mayor, seconded

by Trustee Higgins. The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

<b>Michael Higgins</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Kathleen Roher</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Thomas Lane</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Mark Shepard</b>	<b>Mayor</b>	<b>Voted</b>	<b>Yes</b>

The foregoing resolution was thereupon declared duly adopted.

**Attorney:** Attorney Bell discussed a class action lawsuit regarding opioid use. A number of lawsuits have been consolidated into one which is being considered in a federal court in Ohio. The opioid epidemic is affecting communities and local governments across the country at an unprecedented level. The lawsuit is against the pharmaceutical companies who manufactured, distributed and marketed opioids, as well as entities such as CVS, Walgreens and Walmart for having distributed those in their pharmaceutical capacity. This lawsuit is intended to help communities deal with the cost that opioid use has had. The village justice court handles criminal cases, some which may involve opioid use. As an example, Attorney Bell explained that the Village of Chittenango not only has costs associated with their justice court, they also have an agreement with the school where they pay for one of the student resource officers (SRO) and that SRO conducts drug prevention programs. This lawsuit is intended to reimburse municipalities. Attorney Bell explained that Perdue Pharma, one of the opioid manufacturers, is claiming bankruptcy and because of this all parties in the lawsuit need to be identified. A notice of claim is required to do so, and a deadline to file such was established which prompted the discussion with the Mayor. She went on to say that a tool was created which calculates how much each area could receive should a large settlement be reached; for the Village of Morrisville it was \$42,000. It's unknown what the settlement will be, but if you didn't file a notice of claim you could not be a part of the lawsuit. When Attorney Bell spoke to the Mayor about this she advised him that her law firm established a flat fee of \$300 per municipality to prepare and file the claim. Based on that conversation, a notice of claim was filed at the request of the Mayor.

**Trustee:** Trustee Lane said the information received tonight from college officials should be passed on to residents and suggested we schedule a town hall type meeting. Trustee Higgins said he wasn't sure people are thinking about this. He went on to say we live in this community and we know that the college is going to have kids on the campus. He believes people will do whatever is safest for them. Mayor Shepard suggested putting information in the newsletter with a recommendation that residents go to the college website to review the return to campus plan.

**Mayor:** Mayor Shepard discussed the status of the budget and village revenue.

**Clerk-Treasurer Report:** The board was provided financial reports detailing income and expenditures to date by fund.

The draft COVID safety policies were discussed. The board requested the policy for the Village Office be updated to include a requirement that any in person meeting is to be by appointment only. Cleaning protocols were also discussed. While the office is closed to the public cleaning will continue to be done once a week, with office staff spot cleaning as needed. Trustee Higgins made a motion to adopt the COVID safety policies for the Village Office and Department of Public Works, seconded by Mayor Shepard. The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

<b>Michael Higgins</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Kathleen Roher</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Thomas Lane</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Mark Shepard</b>	<b>Mayor</b>	<b>Voted</b>	<b>Yes</b>

The foregoing resolution was thereupon declared duly adopted.

Clerk Will updated the board regarding the pending termination of water/sewer service for the unpaid April 2020 bill. The first termination notice included information on how to request an extension to pay for those experiencing financial hardship. No extension requests were received. The amount currently outstanding is \$23,917.00. Termination of service is scheduled for August 25, 2020.

Trustee Higgins made a motion authorizing an adjustment to the O&M portion of the following water bills representing metered pool use: Michael Selinsky (Account 000490) 432 cf \$23.76; Douglas Austin (Account 000495) 1,462 cf \$80.41; Tom Lane (Account 000360) 846.5 cf \$46.56, seconded by Trustee Roher. The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

<b>Michael Higgins</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Kathleen Roher</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Thomas Lane</b>	<b>Trustee</b>	<b>Voted</b>	<b>Abstain</b>
<b>Mark Shepard</b>	<b>Mayor</b>	<b>Voted</b>	<b>Yes</b>

The foregoing resolution was thereupon declared duly adopted.

The board discussed the request of Aaron Dooley to discontinue water/sewer charges at 23 West Main Street, the location of the former beauty salon which has been demolished as part of the renovation project at A&R Tire Service Center. Clerk Will advised the board that the Town of Eaton Assessor combined the two lots at the request of Mr. Dooley. This matter was discussed at length with Attorney Bell. The combination of the lots by the assessor was for tax purposes only; legally these are two separate lots. This matter requires Planning Board approval. After discussion, Trustee Higgins made a motion to suspend water/sewer charges at 23 West Main Street, Morrisville, effective with the July 2020 bill provided the two lots are legally combined prior to April 8, 2021, the date the EDU Roll will be set for the 2021-2022 fiscal year, and if not water/sewer charges will be reinstated, seconded by Trustee Lane. The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

<b>Michael Higgins</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Kathleen Roher</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Thomas Lane</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Mark Shepard</b>	<b>Mayor</b>	<b>Voted</b>	<b>Abstain</b>

The foregoing resolution was thereupon declared duly adopted.

The board was provided a report of the condition of the Contingency and Tax Stabilization Reserve Fund for fiscal year 2019-2020.

Mrs. Will advised the board that the annual financial report for fiscal year ending 5/31/20 was filed with the Comptroller's Office. Each member of the board was provided a copy for review.

The board determined the September meeting would be held by videoconference.

Vouchers were scanned and emailed to each member of the board for review prior to the meeting. Trustee Higgins made a motion to pay audited vouchers as indicated below, seconded by Trustee Lane.

General Fund – Vouchers 22-50  
Water Fund – Vouchers 7-16

Waste Water Operation & Maintenance Fund – Vouchers 5-13

The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

<b>Michael Higgins</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Kathleen Roher</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Thomas Lane</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Mark Shepard</b>	<b>Mayor</b>	<b>Voted</b>	<b>Yes</b>

The foregoing resolution was thereupon declared duly adopted.

Mayor Shepard made a motion to go into executive session at 9:37 p.m. to discuss matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation; seconded by Trustee Roher. The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

<b>Michael Higgins</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Kathleen Roher</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Thomas Lane</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Mark Shepard</b>	<b>Mayor</b>	<b>Voted</b>	<b>Yes</b>

The foregoing resolution was thereupon declared duly adopted.

Trustee Lane made a motion to come out of executive session at 9:42 p.m., seconded by Trustee Higgins. The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

<b>Michael Higgins</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Kathleen Roher</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Thomas Lane</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Mark Shepard</b>	<b>Mayor</b>	<b>Voted</b>	<b>Yes</b>

The foregoing resolution was thereupon declared duly adopted. No action was taken in executive session.

The foregoing resolution was thereupon declared duly adopted.

With no further business before the board, Trustee Higgins made a motion to adjourn the meeting at 9:43 p.m., seconded by Trustee Lane. The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

<b>Michael Higgins</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Kathleen Roher</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Thomas Lane</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Mark Shepard</b>	<b>Mayor</b>	<b>Voted</b>	<b>Yes</b>

The foregoing resolution was thereupon declared duly adopted. Meeting adjourned.

Respectfully submitted,

Amy Will  
Clerk-Treasurer