

At a regular meeting of the Board of Trustees of the Village of Morrisville held the 3rd day of January, 2019, there were:

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

Others: James Scholefield, Steve Brody, Tracy Scholefield, Joe Giusti, Jim Harp, Michael Bischoff, Rick Gorton, Joel Marshall, Emily Marshall, residents; Ray & Deb Kirley, village property owners; Dave & Lori Pearsall, Dave Andrews, area residents; Bernie St. Onge and Steve Mennig on behalf of Smithfield Eaton Volunteer Ambulance Corp. (SEVAC); Cliff Moses, Town of Eaton Supervisor; and Janet Oley, Deputy Clerk.

Mayor Shepard opened the meeting at 7:05 pm with the Pledge of Allegiance.

Minutes of the December 6, 2018 meeting was reviewed. Trustee Lane made a motion to adopt the minutes as written, seconded by Trustee Higgins, all ayes. Motion carried.

Public Comment: Joe Giusti said that he and his wife would like to open a small food vending truck serving hot dogs in the village. He wants to offer inexpensive food for people who work and live here. Mr. Giusti said they met with the Madison County Health Department today so and are aware of their requirements. He said they will be insured. Mr. Giusti noted that they have conducted some traffic studies and their primary location would be in the municipal parking lot with a secondary location on the north side of Eaton Street, across from the SUNY Morrisville maintenance garage. He provided the board with a packet of information. The board and attorney to review.

Ray Kirley addressed the board regarding his property at 7 Cross Avenue and the blocks he placed out front. Mr. Kirley stated that he spoke to the Mayor regarding this when they were placed there. He understands that they don't look the best, but they are doing the job and he would like to leave them in place. He said it was necessary for him to restore his lawn several times due to Dollar General delivery trucks driving onto it. Now the trucks are now using his driveway and have knocked the eavestrough off the house. They have pictures and videos, and have called the police but no one wants to do anything. Mr. Kirley said that he doesn't think he should have to spend money on lawyers to chase this. He reiterated that he wants to leave the blocks there because they do the job by keeping the trucks off the sidewalk. Mayor Shepard asked Attorney Stokes' opinion. Attorney Stokes indicated that the village has the right to remove any obstruction in the right of way. He continued that in a situation like this, you defer to the DPW Superintendent as to what is a hazard as it is ultimately his call. If the DPW Superintendent defers to the board, it is your call. Mrs. Kirley stated that the letter issued to Dollar General by the code enforcement officer wasn't strong enough. Attorney Stokes confirmed that the damage to the Kirley property is a civil matter that the village cannot take action on. Trustee Lane suggested that we wait 30-60 days and see if the current location of the blocks become a problem with snow removal. The board agreed.

Jim Scholefield questioned the lack of service by the police. The village is not getting the protection it deserves. Mr. Giusti indicated that they have also called regarding a noise complaint and the police had no idea about the ordinance. The noise continued on until 4:00 am. Mr. Scholefield said it's going to take someone getting hurt in the village before something happens.

Public Hearing to consider SEVAC request to enter into contract with the Village: Mayor Shepard opened the public hearing at 7:44 p.m. Mr. St. Onge reviewed the history of the ambulance and funding. Lori Pearsall asked what the 2019 funding from the towns is going to be; Mr. St. Onge responded \$30,000 from Eaton, \$2,500 from Nelson, \$12,700 Smithfield. Mr. Pearsall questioned whether SEVAC can legally send out a statement of services if they become a district; Mr. St. Onge responded yes. Mrs. Pearsall asked if the figure of \$186,000 will cover

workers compensation and other various insurances. Mr. St. Onge said it will cover all payroll costs including workers compensation. Mrs. Pearsall also asked how many medics there will be. Mr. St. Onge said they will have paid medics on staff 24 hours a day, seven day a week. They will be part time employees so there will be no health insurance or retirement benefits. Mr. Bischoff questioned if the Town of Eaton contribution is from the town outside village fund. Supervisor Moses confirmed this and continued that a point of discussion has been that SEVAC is covering 80% of the Eaton Fire District calls. Supervisor Moses hopes that SEVAC could take over that part of the Eaton Fire District and that may reduce the overall taxes from the Eaton Fire District. Mr. Brody asked if the call volume for the prior year was available. Mr. St. Onge indicated that in 2018 there were 520 calls; 283 in the village, 139 to Eaton, 79 to Smithfield, 12 to Fenner, 7 to Nelson. Mr. St. Onge said they no longer break out specific calls to Morrisville State College or Crouse Community Center.

Mayor Shepard said the board will consider SEVAC's request for funding when preparing the budget for the 2019-20 fiscal year. Mr. St. Onge asked the board to come up with a resolution to set up an ambulance district. Attorney Stokes said the village does not establish the district. The town needs a district only when they are taxing a portion of the town. He continued that Smithfield is in same position as village, there is no need to separate entities. You do not need a district in the village or in Smithfield. Supervisor Moses said he is of the opinion to leave it up to the voters as to whether they want a district. He noted that the town will also have a public hearing.

With no further comment, Mayor Shepard closed the public hearing at 8:05 p.m.

Public Hearing regarding Marshall Realty petition to change zoning classification: Mayor Shepard opened the public hearing at 8:06 p.m. Attorney Stokes reviewed the resolution. With no public comment, Mayor Shepard closed the public hearing at 8:09 p.m. Trustee Roher made a motion to adopt Resolution 19-01, seconded by Trustee Scholefield. Roll call vote as follows: Trustee Scholefield, aye; Trustee Higgins, aye; Trustee Lane, aye; Trustee Roher, aye; Mayor Shepard, aye. Motion carried.

**RESOLUTION NO. 19-01
OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF MORRISVILLE**

**A RESOLUTION ADOPTING A LOCAL LAW TO AMEND THE VILLAGE OF MORRISVILLE
ZONING MAP PREVIOUSLY ENACTED AND ADOPTED PURSUANT TO
SECTION 180-9 OF THE CODE OF THE VILLAGE OF MORRISVILLE**

WHEREAS, Marshall Realty of Madison County, Inc. ("Applicant") petitioned the Board of Trustees of the Village of Morrisville ("Board of Trustees") for approval of a local law to effect a zone change from R-1 Residential District to B-1 Business District for the premises located at 17 Eaton Street described as being Tax Parcel Number 111.19-2-28 ("Premises"), and

WHEREAS, this Board of Trustees has heard and considered the public testimony and written correspondence and other evidence concerning this application, and

WHEREAS, upon notice duly published, posted and otherwise given, this Board of Trustees held a public hearing on the proposed zone change as required by law, which public hearing has been closed, and

WHEREAS, the Village has received a referral recommendation from the Madison County Planning Agency pursuant to the provisions of General Municipal Law Sections 239-l and 239-m.

NOW THEREFORE, IT IS HEREBY RESOLVED by the Board of Trustees of the Village of Morrisville, in compliance with the New York State Environmental Quality Review Act and its implementing regulations ("SEQRA"), the Village Board of Trustees hereby declares itself the only involved agency, and therefore the lead agency for this Action, that this is an unlisted action, and hereby makes a determination that this action will not have any significant adverse environmental impacts and that a negative declaration shall be prepared and filed.

AND BE IT HEREBY FURTHER RESOLVED that the attached local law, entitled, “A local law to amend the Village of Morrisville Zoning Map previously enacted and adopted pursuant to Section 180-9 of the Code of the Village of Morrisville” is hereby approved and adopted.

AND BE IT HEREBY FURTHER RESOLVED that the Village Clerk is hereby directed to enter said local law in the minutes of this meeting and in the local law book of the Village of Morrisville, and to give due notice of the adoption of said local law to the public and to the Secretary of State, and

BE IT HEREBY FURTHER RESOLVED that upon the effective date as stated herein, the Zoning Map of the Village of Morrisville shall be, and hereby is amended to change the zoning classification of the property specifically described in the attached local law from its existing R-1 Residential District to B-1 Business District, and the Village Clerk is hereby directed to attend to the revision of said Zoning Map and to file same in the office of the Village Clerk of the Village of Morrisville.

Code Enforcement: Mr. Sutton provided a written report for review.

Justice Court: Mayor Shepard reviewed a letter from Judge Whitney regarding the required annual audit of court records. He asked Trustee Higgins to conduct the audit, with the assistance of Mrs. Will.

Campus/Community Committee: Trustee Roher said WinterFest is in the planning process, with the intention to do something a little different this year.

Attorney: Attorney Stokes reviewed the proposed contract with the Village of Hamilton to provide special courtroom law enforcement services on DA nights. Trustee Lane made a motion approving the contract and authorizing Mayor Shepard to execute said contract on behalf of the Village of Morrisville, seconded by Trustee Higgins, all ayes. Motion carried.

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

Trustee Roher made a motion to adopt Resolution 19-02, seconded by Trustee Lane, all ayes. Motion carried.

**RESOLUTION NO. 19-02
OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF MORRISVILLE**

A RESOLUTION ADOPTING THE UPDATED
VILLAGE OF MORRISVILLE SEXUAL HARASSMENT POLICY

WHEREAS, the Village of Morrisville Board of Trustees is committed to combatting sexual harassment in the workplace and desires to be in compliance with New York State requirements relative thereto; and

WHEREAS, the Board of Trustees has reviewed the updated model sexual harassment policy promulgated by the State of New York.

NOW THEREFORE, IT IS HEREBY RESOLVED, that the Board of Trustees of the Village of Morrisville hereby adopts the Village of Morrisville Sexual Harassment Policy and associated Complaint Form as attached hereto and made a part hereof.

Mrs. Will indicated that a late fee in the amount of \$6.90 was assessed to one of Morrisville State College's water/sewer accounts in error. The electronic payment was made timely, but was not known until the bank account was reconciled after late fees were posted. Trustee Roher made a motion authorizing a credit in the amount of \$6.90 to Morrisville State College's water/sewer account (#000650), seconded by Trustee Lane, all ayes. Motion carried.

Mrs. Will directed the board to an email from Kelli Phillipps of South Street. After the water main break on South Street in October 2018, it was necessary for Ms. Phillipps to run an excessive amount of water to clear the line. Mrs. Will reviewed the prior usage at this location and suggested a credit. Trustee Roher made a motion authorizing a credit to Kelli Phillipps water/sewer account (#000295) in the amount of \$9.50 to the water portion and \$17.32 to the O&M portion, seconded by Trustee Lane, all ayes. Motion carried.

The proposed schedule of budget meetings was provided to the board.

Trustee Roher made a motion authorizing the following budget transfers: A5110.4 (Clothing Allotment) \$200 from A1990.4 (Contingency), seconded by Trustee Lane, all ayes. Motion carried.

Each member of the board reviewed all vouchers presented. Trustee Higgins made a motion to pay audited vouchers as indicated below, seconded by Trustee Scholefield, all ayes. Motion carried.

General Fund – Vouchers 170-196	Waste Water Operation & Maintenance Fund – Vouchers 40-41
Water Fund – Vouchers 37-42	Youth Commission – Vouchers 15

With no further business before the board, Mayor Shepard made a motion to adjourn the meeting at 8:36 pm, seconded by Trustee Scholefield, all ayes. Meeting adjourned.

Respectfully submitted,

Amy Will
Village Clerk-Treasurer