

At a regular meeting of the Board of Trustees of the Village of Morrisville held the 2<sup>nd</sup> day of May, 2019, at the Town of Eaton Municipal Offices, 35 Cedar Street, Morrisville, there were:

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

Others: Connie Shepard, Amy Marris, James Scholefield, residents; Jan Oley, Deputy Clerk; Paul Field, Chief of University Police.

Mayor Shepard opened the meeting at 7:00 pm with the Pledge of Allegiance.

Minutes of the 3/21/19 and 4/4/19 meetings were reviewed. Trustee Higgins made a motion to adopt the minutes as written, seconded by Trustee Roher, all ayes. Motion carried.

**University Police:** Trustee Higgins introduced Chief Field and said he has been impressed by the discussions they've had and he looks forward to working with him. He asked Chief Field to discuss the legislature currently being considered which expands their authority. Chief Field said the Police Benevolent Association of New York State is sponsoring a bill to amend the criminal procedure law to expand the geographic area of employment of university police officers. Currently, university police can patrol, make arrests and the like in its geographical area of employment including the campus itself and any contiguous roads surrounding it. Their jurisdiction is limited to any roadway that crosses, adjoins or abuts college property. If this legislation goes through university police would no longer be limited in this manner. Chief Field noted that the Village of Morrisville has the same issues as other college towns; students are overruling the village and university police do not have the authority to do anything about it. In his opinion, it doesn't make sense that they can't help with this problem. He did note that this is the third time in 10 years that they've tried to get this legislation through. The board agreed to issue a letter of support regarding this matter. Chief Field said as much as they can help, they are willing to, however sometimes they will have to say no due to their limited authority.

**Public Comment:** None.

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

The board reviewed a letter from Catharine Andrews of English Avenue regarding her concerns of inadequate property maintenance throughout the Town of Eaton and Village.

The board discussed 9 East Maple Avenue and the status of the court case. Attorney Stokes noted that the property must meet the requirements of the property maintenance code. He will speak with the code enforcement officer regarding this.

Trustee Higgins discussed broken windows at a property located across from Dollar General. The code enforcement officer will be made aware of this situation.

The board discussed the regulations adopted last month for vendors in village parks or public areas. The provision of required insurance coverage was not determined at the time this legislation was adopted. Trustee Roher made a motion to require as part of the mobile food vendor permit application a requirement to provide a certificate of general liability insurance evidencing coverage limits of not less than \$300,000 per occurrence and specifically naming the Village of Morrisville as an additional insured, seconded by Trustee Higgins, all ayes. Motion carried.

The board reviewed the application of Joseph Giusti for a mobile food vendor permit. Trustee Higgins made a motion approving the application of Joseph Giusti pending the submission of the application fee, proof of insurance and Madison County Health Department Food Service permit, seconded by Trustee Roher, all ayes. Motion carried.

The board reviewed a quote from General Code for an enhanced supplement. General Code will no longer provide printed codification updates in the current size of 6" x 9" and are moving toward a more modern 8.5" x 11" format. To update the code with our recent legislation and reprint the code in its entirety the total cost is \$1,570.00 Trustee Roher made a motion authorizing the supplementation and reprinting of village code to the new format, seconded by Trustee Scholefield, all ayes. Motion carried.

**Department of Public Works:** The board reviewed the mini-bid results for the purchase of a pickup truck. Trustee Roher made a motion to award the bid to Carmody Ford for the purchase of a 2019 Ford F350 4x4 pickup with a 9'6" Fisher XV2 plow at a total cost of \$35,253.10, seconded by Trustee Scholefield, all ayes. Motion carried.

The board discussed the Source Water Protection Plan prepared by Steven Winkley of NYS Rural Water Association and the suggestion to put in another water well. Attorney Stokes noted that the cost would be in the millions to put in another well and the village would likely not receive grants because our primary wells are not contaminated. He just wants the board to be realistic about this. Mayor Shepard asked that the report be sent out to the board again for review.

**Historical Preservation:** Mrs. Will advised the board that Carolyn Gerakopoulos applied for and received a grant from the Pomeroy Foundation for a Legends & Lore Marker. The Legends & Lore program is designed to promote cultural tourism and commemorate legends and folklore as part of cultural heritage. The marker is to be placed near the Engine House. The Pomeroy Foundation provides the funds to purchase the marker from a specific vendor. Trustee Scholefield made a motion to adopt Resolution Number 19-09, seconded by Trustee Roher, all ayes. Motion carried.

**RESOLUTION NO. 19-09  
OF THE BOARD OF TRUSTEES  
OF THE VILLAGE OF MORRISVILLE**

**A RESOLUTION AUTHORIZING THE MODIFICATION OF THE  
2018-2019 GENERAL OPERATING BUDGET**

WHEREAS, the Village of Morrisville has received unanticipated revenue from The William G. Pomeroy Foundation in the amount of \$1,100.00, and

WHEREAS, this unanticipated revenue is in the nature of a gift to the Village to be utilized for the purchase of a Legends & Lore Roadside Marker to be erected near the Engine House in the Village of Morrisville.

NOW, THEREFORE, IT IS HEREBY

RESOLVED, by the Board of Trustees of the Village of Morrisville that said gift in the nature of a donation made by The William G. Pomeroy Foundation in the amount of \$1,100.00 to be utilized for the purchase of a Legends & Lore Roadside Marker to be erected near the Engine House in the Village of Morrisville, is hereby accepted by and on behalf of the Village of Morrisville, and it is hereby further

RESOLVED, by the Board of Trustees of the Village of Morrisville that in light of said gift of unanticipated revenue, the 2018-2019 General Operating Budget is hereby amended to modify revenue and expenditure budget lines A2705 and A7510.42 as follows:

Account No.	Description	Debit	Credit
A2705	Gifts and Donations		\$1,100.00
A7510.42	Engine House	\$1,100.00	

**Youth Commission:** Trustee Roher said that she and Trustee Lane met with Superintendent Molloy regarding a summer recreation program. She hasn't had an opportunity to speak with Superintendent Molloy again since that meeting so she is unsure where things are at. Trustee Lane said the suggestion was to run this program through BOCES, but the cost would be upwards of \$40,000 and we would need to wait a year for reimbursement. He was not optimistic that it was going to work out.

**Justice Court:** Trustee Higgins said the audit will be conducted next month. He is working with the court to provide a monthly report regarding the monies collected.

**Law Enforcement:** Trustee Higgins said he has no idea if we've had any coverage by the Sheriff's Department. He feels strongly that the contract needs to be revised when it comes up for renewal. The board agreed.

**Campus/Community Committee:** Trustee Roher said the Easter event was successful.

**Attorney:** Attorney Stokes discussed SEVAC's proposed ambulance district in the Town of Eaton. The district covers a portion of the Town of Eaton, outside the village. The Town has scheduled a public hearing for May 14 regarding this. Although the village is not included in the district, Attorney Stokes noted that there could be a separate contract for services between the village and SEVAC. The board and Attorney Stokes discussed this matter at length. In the end, the board decided to pursue a contract for services with SEVAC and not be included in the district.

**Mayor:** Mayor Shepard said the Center of NY Economic Alliance (CONYEA) requested permission to set up a business fair in the municipal parking lot on the corner of Eaton Street and Route 20 on Memorial Day. Mayor Shepard asked the board if they would authorize this activity and if so waive the application fee. Trustee Roher made a motion authorizing the request of Center of NY Economic Alliance to use the municipal parking lot on Eaton Street on Memorial Day and waving any fee for such use, seconded by Trustee Scholefield, all ayes. Motion carried.

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

Trustee Roher made a motion to adopt Resolution Number 19-10, seconded by Trustee Higgins, all ayes. Motion carried.

**RESOLUTION NO. 19-10  
OF THE BOARD OF TRUSTEES  
OF THE VILLAGE OF MORRISVILLE**

**A RESOLUTION AUTHORIZING DELINQUENT  
WATER/SEWER RENTS AND FIRE INSPECTION FEES TO BE PLACED ON  
VILLAGE OF MORRISVILLE PROPERTY TAXES  
FOR THE YEAR 2019**

**WHEREAS**, the Board of Trustees of the Village of Morrisville, by unanimous vote, approved the amount of \$3,896.50 for delinquent water/sewer rents and fire inspection fees to be placed on the property owners Village taxes for the year 2019.

**RESOLVED**, that the Board of Trustees of the Village of Morrisville authorizes Madison County Real Property Services to add the above amount to the delinquent property owners tax parcel.

Mrs. Will advised the board that Shannon Roher, cleaner for the Village Office, will be going out on maternity leave in June. Her sister in law, Tara Roher, was previously appointed by the board to cover during a prior maternity leave in 2017. Trustee Shepard made a motion to appoint Tara Roher to the part-time position of cleaner at a biweekly salary of \$108.30 upon the maternity leave of Shannon Roher, seconded by Trustee Scholefield, all ayes. Motion carried.

Mrs. Will discussed the purchase of flowers for the beautification project from the SUNY Morrisville greenhouse. Due to the timing of the sale, Mrs. Will requested authorization to purchase and pay for flowers in advance of board audit. Trustee Roher made a motion authorizing the Village Treasurer to purchase flowers from SUNY Morrisville in an amount not to exceed \$850.00, with payment to be made in advance of audit, seconded by Trustee Scholefield, all ayes. Motion carried.

Trustee Roher made a motion authorizing summer hours for the Village Office and DPW beginning May 14, 2019 through September 13, 2019, seconded by Trustee Roher, all ayes. Motion carried.

The board reviewed a letter from Upstate University Hospital regarding a mobile mammography van program. They are promoting accessible breast cancer screening for women in underserved communities who might not otherwise get screened. Mrs. Will asked the board to consider allowing the van to park in the office parking lot. Trustee Roher made a motion approving the Upstate University Hospital Mobile Mammography Van to park in the village office lot, seconded by Trustee Scholefield, all ayes. Motion carried.

Trustee Roher made a motion authorizing the following budget transfers; A1410.12 Deputy Clerk Personal Service \$200 from A1410.13 Clerk-Treasurer Overtime; A1490.11 (DPW Supervisor Personal Service) \$6,400 from A1490.14 (Groundskeeper Personal Service) \$2,000 and A3120.4 (Sheriff) \$4,400; A1989.4 (Payroll Processing) \$250 from A1410.49 (Clerk Contractual); A7510.4 (Historical Preservation Contractual) \$130 from A7510.49 (Landmarks Day); A9010.8 (Social Security) \$250 from A1410.49 (Clerk Contractual); A9060.8 (Medical Insurance) \$4,535 from A9055.8 (State Retirement) \$1,300 and A1910.4 (Insurance) \$3,235; F8310.11 (DPW Supervisor Personal Service) \$3,700 from F8320.45 (Building Maintenance) \$500, F9010.8 (State Retirement) \$510 and F8340.4 (Transportation and Distribution Contractual) \$2,690; F8310.12 (Deputy Clerk Personal Service) \$175 from F8310.12 (Clerk-Treasurer Personal Service); F9060.8 (Medical Insurance) \$60 from F1990.4 (Contingency); G8110.12 (DPW Superintendent Personal Service) \$600 from G1990.4 (Contingency); G8110.15 (Deputy Clerk Personal Service) \$30 from G1990.4 (Contingency); G9060.8 (Medical Insurance) \$230 from G1990.4 (Contingency); G9030.8 (Social Security) \$75 from G1990.4 (Contingency); seconded by Trustee Higgins, all ayes. Motion carried.

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

General Fund – Vouchers 281-307      Waste Water Operation & Maintenance Fund – Vouchers 59-65  
Water Fund – Vouchers 62-65

Mayor Shepard made a motion to go into executive session for attorney-client privilege at 8:28 p.m. with a request for David Craine to be present, seconded by Trustee Roher, all ayes. Motion carried.

Mayor Shepard made a motion to come out of executive session at 9:25 p.m., seconded by Trustee Higgins, all ayes. Motion carried. No action was taken in executive session.

Trustee Roher made a motion to adopt Resolution Number 19-11, seconded by Trustee Scholefield, all ayes. Motion carried.

**RESOLUTION NO. 19-11  
OF THE BOARD OF TRUSTEES  
OF THE VILLAGE OF MORRISVILLE**

**A RESOLUTION AUTHORIZING PAYMENT OF BENEFITS  
UPON RETIREMENT OF RAYMOND HEH**

WHEREAS, the Village of Morrisville Superintendent of Public Works, Raymond Heh, has advised the Board of Trustees of his intention to retire effective May 20, 2019; and

WHEREAS, this Board deems it prudent to memorialize the payments and benefits due to Mr. Heh upon his retirement.

NOW THEREFORE BE IT RESOLVED, that the Village of Morrisville Board of Trustees hereby establishes and confirms the following payments and benefits will be made and extended to Raymond Heh upon and after his retirement from employment with the Village, which amounts shall be reduced by the amount of any vacation and/or sick leave time taken between the date of this resolution and the effective date of retirement:

1. Upon his retirement, he will be paid an amount equal to his effective calculated hourly rate multiplied by the number of hours of all unused vacation time earned and accrued as of May 20, 2019 in the total amount of \$6,975.67.
2. Upon his retirement, he will be paid an amount equal to \$15.00 per hour multiplied by the number of hours of all unused sick time earned and accrued as of May 20, 2019 in the total amount of \$14,827.50.

Mayor Shepard made a motion to adopt Resolution Number 19-12, seconded by Trustee Higgins, all ayes. Motion carried.

**RESOLUTION NO. 19-12  
OF THE BOARD OF TRUSTEES  
OF THE VILLAGE OF MORRISVILLE**

**A RESOLUTION AUTHORIZING EXPENDITURES FROM THE  
EMPLOYEE BENEFIT ACCRUED LIABILITY RESERVE FUND**

WHEREAS, pursuant to section 6-p of the General Municipal Law, as amended, the Village of Morrisville established a reserve fund known as the "Employee Benefit Accrued Liability Reserve Fund" (hereinafter "Reserve Fund") for the purpose of accumulating monies to finance any accrued "employee benefit" due an employee on termination of the employees service to the Village of Morrisville.

NOW THEREFORE, IT IS HEREBY RESOLVED that the chief fiscal officer is hereby authorized to transfer the sum of \$21,803.17 from the Reserve Fund to the Supervisor Personal Service appropriation [line no. A1490.11] and the sum of \$1,670.00 to the Social Security appropriation [line no. A9010.8] in the Annual Budget for the fiscal year 2018-2019 for the purpose of paying accrued employee benefits to Raymond Heh upon and after his retirement from employment with the Village of Morrisville, as previously authorized by separate resolution of the Board of Trustees of the Village of Morrisville

Trustee Roher made a motion to adopt Resolution Number 19-13, seconded by Trustee Lane, all ayes. Motion carried.

**RESOLUTION NO. 19-13  
OF THE BOARD OF TRUSTEES  
OF THE VILLAGE OF MORRISVILLE**

**A RESOLUTION TO APPOINT DAVID COMMINS  
TO THE POSITION OF SUPERINTENDENT OF PUBLIC WORKS**

**IT IS HEREBY RESOLVED** that the Board of Trustees does hereby appoint David Commins to the position of Village of Morrisville Superintendent of Public Works effective May 20, 2019, upon the following terms and conditions:

1. This is a salaried supervisory, FLSA exempt, non-competitive Civil Service position. Compensation to Mr. Commins shall be at an annual salary of \$51,000 per year, paid in bi-weekly installments.
2. In recognition of his assumption of supervisory duties, Mr. Commins shall be credited with an additional 5 vacation days at the conclusion of the first pay period ending after the effective date of his appointment, and annually thereafter at the conclusion of the first pay period in the month of May until Mr. Commins reaches his anniversary date of five years of total service with the Village, at which time his vacation leave shall be determined as set forth in the Village Employee Handbook.
3. All other usual benefits of Village employment shall be available to Mr. Commins as Superintendent of Public Works.

Mayor Shepard made a motion to adopt Resolution Number 19-14, seconded by Trustee Scholefield, all ayes. Motion carried.

**RESOLUTION NO. 19-14  
OF THE BOARD OF TRUSTEES  
OF THE VILLAGE OF MORRISVILLE**

**A RESOLUTION DESIGNATING DAVID PUSHLAR AS  
THE WATER OPERATOR IN RESPONSIBLE CHARGE  
FOR THE VILLAGE OF MORRISVILLE**

**WHEREAS**, the Village of Morrisville, as owner of a community water system, is required by the New York State Department of Health to have a certified operator(s) for its water system, and

**WHEREAS**, Raymond Heh currently holds the designation of the Village's certified operator in responsible charge and has notified the Village of his intention to retire from the Village, and

**WHEREAS**, Heavy Equipment Operator David Pushlar has the required certification by the New York State Department of Health to act as a certified operator in charge.

**NOW, THEREFORE, IT IS HEREBY RESOLVED** that effective May 16, 2019 the Board of Trustees does hereby designate David Pushlar as the certified operator in responsible charge as required by the New York State Department of Health and authorizes the Mayor to sign the New York State Department of Health Designation of Water Operator In Responsible Charge form as the system owner.

Trustee Higgins made a motion to adopt Resolution Number 19-15, seconded by Trustee Scholefield, all ayes. Motion carried.

**RESOLUTION NO. 19-15  
OF THE BOARD OF TRUSTEES  
OF THE VILLAGE OF MORRISVILLE**

**A RESOLUTION TO CLASSIFY THE POSITION OF  
VILLAGE CLERK-TREASURER AS AN FLSA EXEMPT POSITION**

**IT IS HEREBY RESOLVED** by the Board of Trustees of the Village of Morrisville that effective June 1, 2019, the position of Village Clerk-Treasurer of the Village of Morrisville shall be a salaried supervisory, FLSA exempt, non-competitive Civil Service position, with an annual salary of \$51,500.00 per year, paid in bi-weekly installments.

With no further business before the board, Trustee Roher made a motion to adjourn the meeting at 9:28 p.m., seconded by Mayor Shepard, all ayes. Meeting adjourned.

Respectfully submitted,

Amy Will  
Village Clerk-Treasurer