

At a regular meeting of the Board of Trustees of the Village of Morrisville held the 8th day of September, 2016, at the Town of Eaton Offices, Cedar Street, Morrisville, there were:

Present:	Mark Shepard	Mayor
	Emily Marshall	Trustee
	Kathleen Roher	Trustee
	Allen Noel	Trustee
	Thomas Lane	Trustee
	James Stokes	Attorney
	Amy Will	Clerk-Treasurer

Others: Connie Shepard, Joe Giusti, Tracy Scholefield, Jim & Judy Scholefield, Kathy O’Flaherty, Charlie Bostic, Marie Smith, residents; Debra Kirley, property owner; William Specht, engineer; and Jan Oley, Deputy Clerk.

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

Minutes of the August 11, 2016 meeting were reviewed. Trustee Noel made a motion to approve the minutes as written, seconded by Trustee Lane, all ayes. Motion carried.

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

Department of Public Works: Trustee Noel indicated that Mr. Heh is working to obtain an additional quote to have the electrical repairs made for the pole mounted Christmas decorations. The board last discussed this during budget preparations. Trustee Noel said that we hope to have the additional quote for the next meeting.

Planning Board: Ms. Smith noted that she met with Trustee Marshall recently regarding the comprehensive master plan. It was suggested that the Planning Board begin reviewing and determine if there are parts that can be actualized. Ms. Smith said that once the Board of Trustees adopts the document the Planning Board will act.

Youth Commission: Trustee Roher indicated that a final registration will be held for soccer this weekend. She also noted that a meeting has been scheduled with Superintendent Molloy on September 20th to discuss the condition of the playing fields as well as the storage shed.

Parking Enforcement: Mayor Shepard noted that the parking enforcement officer is back to work. Trustee Marshall felt that the village should be posting notices that we are now enforcing parking regulations since we weren’t during the summer. Both Trustees Lane and Roher suggested that during the first week of classes the village issue warning notices instead of tickets. Mayor Shepard said we can consider that next year.

Sheriff’s Department: Mayor Shepard reported that he and Trustee Noel met with Undersheriff Ball in August. The meeting went well and there was much discussion about the recently enacted rooming house law. The Morrisville patrol has been scheduled for the month of September. Mayor Shepard also met with Chief D’Alessandro from University Police. Chief D’Alessandro indicated that their authority only extends to properties adjacent to campus. Trustee Lane questioned why University Police are pulling vehicles over within the village and issuing traffic tickets, but they won’t deal with issues caused by their students. Trustee Marshall said that she has tenants complaining about noise issues. She suggested that we file a complaint about not having enough coverage.

Mr. Giusti said his family is desperately interested in making Morrisville better. He has been out in the village between 10:00 p.m. and 2:00 a.m. and observed disorderly conduct, public drunkenness, and open container violations. He said this is taking place in front of University Police and they do nothing. In his opinion, enforcement must be harder than what it is. Ms. O’Flaherty said she called the state police regarding a noise complaint and all they did was shine a light on the building. She said that Deputy Chapman of the Sheriff’s Department was the only one who got out of his vehicle. Mr. Giusti suggested that members of the board come out

one Friday or Saturday night to see just what takes place in the village. Mr. Scholefield said there was a group of students walking down Main Street last night carrying on. Trustee Lane said there needs to be a more vested interest in enforcement. Mr. Scholefield questioned why Morrisville State College doesn't have a representative at these board meetings so they know what is going on. Ms. O'Flaherty asked whether there is a law regarding loitering as she is dealing with students hanging out in front of her apartment building and Dougherty Pharmacy. Trustee Lane said that the village needs to make a statement at the beginning of the semester that we're not going to accept this behavior. Mayor Shepard said he will work with law enforcement to see what kind of support we can get in an attempt to resolve these concerns. Trustee Lane suggested that the Morrisville patrol have two deputies on for the months of September and October. He noted that 80% of the problem is college related and we get nothing from them to resolve it.

Campus/Community Committee: Trustee Roher said the committee met today. The first activity of the school year will be the Halloween parade of costumes in October.

Public Comment: Debra Kirley stated that she purchased 7 Cross Avenue and is having issues with the code enforcement officer. She provided the board with a copy of the building permit. Mrs. Kirley indicated that Mr. Sutton was told exactly what they were planning to do. She noted that the property was a foreclosure purchase and there were a lot of things that weren't disclosed in the sale, one being there was a major fire at the property. She continued that Mr. Sutton shut the job down twice and is now requiring an engineer be involved because he said they have gone above the scope of the permit. Mrs. Kirley engaged the engineering services of William Specht, who doesn't understand why they need stamped plans. Mrs. Kirley also noted an issue with trucks delivering to Dollar General; the trucks are pulling onto their sidewalk and damaging it. Regarding the concerns of the code enforcement officer, Mayor Shepard said Mr. Sutton is looking for drawings because of the structural changes made to the home. He noted that Mr. Sutton would like to resolve this matter and suggested a meeting between all parties this Monday. Mrs. Kirley and Mr. Specht agreed to the meeting.

Ms. Smith spoke regarding the upcoming Madison Hall 5K run/walk. They are encouraging groups and families to come out and participate. She asked that members of the board make an effort to attend and show their support as this event is as much for the village as it is for Madison Hall.

Public Hearing to Establish New Chapter 165 (Trees): Mayor Shepard opened the public hearing to consider the creation of a new Chapter 165 of the Code of the Village of Morrisville at 8:11 p.m. This local law will establish a tree commission and provides regulations for the installation and care of trees. Trustee Marshall indicated that Kelly Hennigan will be the chair of the tree commission. She continued that there are four trees being delivered on Monday for planting. Two additional trees will be delivered the following week. With no public comment, Mayor Shepard closed the public hearing at 8:15 p.m. Trustee Lane made a motion to adopt Resolution 16-21, seconded by Trustee Roher. Roll call vote as follows: Trustee Noel, aye; Trustee Roher, aye; Trustee Lane, aye; Trustee Marshall, aye. Motion carried.

**RESOLUTION NO. 16-21
OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF MORRISVILLE**

**A RESOLUTION ADOPTING A LOCAL LAW
TO ADD A NEW CHAPTER 165 OF THE CODE OF THE
VILLAGE OF MORRISVILLE ENTITLED "TREES"**

WHEREAS, upon notice duly published and posted as required, a public hearing on the adoption of a proposed local law No. 5 of the year 2016 of the Village of Morrisville to add a new Chapter 165 of the Code of the Village of Morrisville to establish a tree commission and regulations for the installation and care of trees in the Village of Morrisville was held by the Board of Trustees on September 8, 2016, and

WHEREAS, the adoption of this local law is not an action that may have an effect on the environment as defined by the implementing regulations of the New York State Environmental Quality Review Act, and is therefore not an action subject to SEQRA.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

After due deliberation, the Board finds it in the best interest of the Village of Morrisville to adopt this local law, and does hereby adopt this local law. 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 Secretary of State.

Public Hearing to Amend Chapter 180 (Zoning): Mayor Shepard opened the public hearing to consider amending Chapter 180 of the Code of the Village of Morrisville at 8:15 p.m. Attorney Stokes noted that the county faxed their recommendation this afternoon so the local law was revised to reflect that. He said that this amendment brings the language up to date as what we currently have is vague. With no public comment, Mayor Shepard closed the public hearing at 8:21 p.m. Trustee Noel made a motion to adopt Resolution 16-22, seconded by Trustee Roher. Roll call vote as follows: Trustee Noel, aye; Trustee Roher, aye; Trustee Lane, aye; Trustee Marshall, aye. Motion carried.

**RESOLUTION NO. 16-22
OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF MORRISVILLE**

A RESOLUTION MAKING A DETERMINATION OF
ENVIRONMENTAL NON-SIGNIFICANCE UNDER THE NEW YORK STATE ENVIRONMENTAL
QUALITY REVIEW ACT AND ENACTING
LOCAL LAW 2016-6 TO AMEND THE ZONING CODE OF THE VILLAGE OF MORRISVILLE

WHEREAS, this Board of Trustees has developed and is considering proposed Local Law 2016-6 to enact revisions to the Village Zoning Code to update and clarify the code provisions relative to nonconforming uses and structures; and

WHEREAS, pursuant to a referral duly made pursuant to the provisions of Section 239-m of the General Municipal Law, the Madison County Planning Agency has reviewed proposed Local Law 2016-2, and has recommended that the question of the adoption of this local law be returned to this Board of Trustees for local determination; and

WHEREAS, upon notice duly published and posted, a public hearing on the adoption of proposed Local Law 2016-6 was duly held by this Village Board; and

WHEREAS, the public hearing has been, or hereby is closed; and

WHEREAS, this Board has reviewed the short environmental assessment form and has considered the likelihood of any potential adverse environmental impacts that might result from the adoption of Local Law 2016-6.

NOW, THEREFORE, BE IT HEREBY RESOLVED AS FOLLOWS:

1. That the enactment of Local Law 2016-6 is an unlisted action for purposes of the New York State Environmental Quality Review Act. There are no involved federal agencies, and there are no other involved agencies. The enactment of Local Law 2016-6 does not affect any lands located within New York State agricultural districts and does not involve the exercise of eminent domain or other public acquisition of land or the advance of public funds for any construction.

2. That the enactment of Local Law 2016-6 will not have any significant adverse effects upon the environment. This resolution shall constitute a negative declaration pursuant to the New York State Environmental Quality Review Act in accordance with SEQRA'S implementing regulations. The reasons supporting this determination are as follows:

the action consists solely of a legislative enactment designed and intended to make technical changes to the language of certain sections of the zoning code so as to reduce the likelihood of confusion in the administration of the code. The Board finds that updating and clarifying the code provisions relative to nonconforming uses and structures that will result from the enactment of this local law are in accordance with the Village's comprehensive plan. There will be no physical changes to the land or environment as a result of this action.

AND BE IT HEREBY FURTHER RESOLVED that the adoption of Local Law 2016-6 will promote and protect the health, safety and general welfare of the Village of Morrisville and its residents, and that Local Law 2016-6 entitled "A Local law to amend Section 180-17 of the Code of the Village of Morrisville", is hereby adopted, to be effective immediately upon its filing with the Secretary of State, and that the Village Clerk be and hereby is 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.

Attorney Report: Attorney Stokes provided the board with a draft local law to regulate the use of drones within the village. He noted there is a fair amount of grey area, but he tried to write the local law so it doesn't conflict with FAA regulations. Essentially this law provides that to operate a drone you need a permit, must have a legitimate purpose and the consent of all property owners over which drones will operate. Mayor Shepard made a motion to schedule a public hearing on October 6, 2016 at 7:30 p.m. to consider the adoption of a local law regulating drones, seconded by Trustee Roher, all ayes. Motion carried.

Trustee Report: Trustee Roher said she's been asked why we don't distinguish our crosswalks better like other villages. She also inquired about marking parking spaces in front of Dougherty Pharmacy. Trustee Noel will speak with Mr. Heh.

Trustee Lane questioned the status of the rooming house applications. Ms. Oley said temporary licenses have been issued and notices were just sent reminding owners of any remaining information needed to process the application. She noted that the temporary license expires on September 19th. Trustee Lane suggested that a violation letter be issued if we haven't received the necessary information by that date.

Trustee Lane asked whether the grant writer has been contacted. Mayor Shepard said that he spoke with Lauren Lines regarding our water project. Ms. Lines said we would be better off speaking with the engineer, who likely has more experience obtaining grants in this area. Mayor Shepard met with John Dunkle earlier this week and he is going to look into funding. Trustee Noel said that Assemblyman Magee's office is requesting \$125,000 for the project and Senator Valesky's office is also considering funding.

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

Trustee Roher made a motion authorizing reserve fund transfers as follows: \$5,000.00 from General Fund to DPW Capital and \$7,500.00 from General Fund to Employee Accrued Benefit Reserve, seconded by Trustee Noel, all ayes. Motion carried.

Mrs. Will indicated that the Madison County work crew is going to paint the village office. She asked for authorization to purchase lunch for them when they finish. Trustee Roher made a motion authorizing the purchase

of lunch and drinks for the Madison County Work Crew in appreciation for paining the village office, seconded by Trustee Noel, all ayes. Motion carried.

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

General Fund – Vouchers 53-71

Water Fund – Vouchers 12-18

Waste Water Operation & Maintenance Fund – Vouchers 17-22

Youth Commission – Vouchers 6-7

Mayor Shepard made a motion to go into executive session for attorney-client privilege at 8:50 p.m., seconded by Trustee Roher, all ayes.

Mayor Shepard made a motion to come out of executive session at 9:05 p.m., seconded by Trustee Roher, all ayes. Motion carried. No action was taken during executive session.

With no further business before the board, Trustee Noel made a motion to adjourn the meeting at 9:05 p.m., seconded by Mayor Shepard, all ayes. Meeting adjourned.

Respectfully submitted,

Amy Will

Clerk-Treasurer