

At a regular scheduled meeting of the board of Trustees of the Village of Port Byron held in the municipal building at 7:00PM, following were present:

Mayor: Ronald Wilson

Trustee: John Bell
Trustee: Patrick Fenton
Trustee: Mary Jump
Trustee: Jeffery Girvin-absent

Village Clerk: Caitlin Bacon

Village Treasurer: Diana Warren

Public Present: Mary Benson, Nancy Pennypacker, Eugene DeLue, Eloise DeLue

Mayor Wilson called the meeting to order at 7:03PM and opened with the Pledge of Allegiance and a moment of silence.

Mayor Wilson asked the public if there was any matter to discuss.

Ms. Pennypacker stood up and wanted to speak; by asking the Village Board to reconsider the grant for re-watering the Erie Canal. Ms. Pennypacker read a letter she had written and provided copies to The Village employees. The Village Board and Ms. Pennypacker had a discussion regarding the articles in the newspaper, the conversations had with Ms. Egenhofer (Parks, recreation and historic preservation), the Canal Corporation claiming ownership, and the specific details of what this grant involves.

Mayor Wilson asked if there were any business matters from the public, no business arose.

Mayor Wilson then moved to the Memo submitted by Municipal Solutions regarding the closeout of the water project. Mayor Wilson provided explanation of the Memo and asked if there was a motion to accept the Resolution submitted by Mary Chappell (Municipal Solutions), reviewed and accepted by the EFC, and reviewed and accepted by Village Attorney, Frank Miller;

**RESOLUTION
VILLAGE OF PORT BYRON
JOINT WATER PROJECT FINAL COST ALLOCATION AMONG
THE VILLAGE OF PORT BRYON, TOWN OF MENTZ & TOWN OF MONTEZUMA**

WHEREAS, the Village of Port Byron, the Town of Mentz, and the Town of Montezuma have entered into an inter-municipal agreement dated June 9, 2014, (the “IMA”) establishing the terms of their cooperation for the construction, financing, operation, and maintenance of a joint water project (the “Joint Water Project”); and

WHEREAS, the IMA states that each municipality’s respective allocable share of the total project cost, based upon the respective share of EDUs in each municipality as of April 2014, is as follows:

Village of Port Byron – 68.1%
Town of Mentz – 5.1%
Town of Montezuma – 26.8%; and

WHEREAS, the Environmental Facilities Corporation (“EFC”) provided short-term financing from the Drinking Water State Revolving Fund (“DWSRF”) to each municipality for each municipality’s share of the total project cost, and provided a DWSRF grant for the Joint Water Project in the amount of \$2,000,000 (the “Grant”); and

WHEREAS, the construction of the Joint Water Project is complete, and EFC and the municipalities seek to convert each municipality’s short-term financing to a long-term financing; and

WHEREAS, Grant funds in the amount of \$105,834.81 remain unspent by the municipalities for the Joint Water Project, and Municipal Solutions, Inc., the municipalities’ financial consultant, has determined the appropriate allocation of the remaining Grant funds to each municipality, so that the municipalities’ respective allocable shares of the total project cost to be financed by EFC long-term, are consistent with the IMA (the “Final Grant Allocation”), as set forth in the letter dated November 29, 2018, attached to and hereby made a part of this resolution (the “Municipal Solutions Letter”); and

WHEREAS, the municipalities have reviewed the Municipal Solutions Letter, and each agrees with the method used to determine the Final Grant Allocation, as well as the result of the Final Grant Allocation for each community with respect to the final calculation the municipalities' respective allocable shares of the total project cost;

NOW, THEREFORE, be it RESOLVED as follows:

1. The Final Grant Allocation, as presented in the Municipal Solutions Letter, is hereby ratified and approved.
2. This resolution shall take effect immediately.

Dated: December 10th, 2018

Introduced by: Trustee Jump

Seconded by: Trustee Fenton

Voting Aye: 3

Voting Nay: 1

CERTIFICATE OF RECORDING OFFICER

The attached Resolution is a true and correct copy of a resolution by the Village of Port Byron, as regularly adopted at a legally convened meeting of the Board of Trustees of the Village of Port Byron held on December 10, 2018; and further that such Resolution including the Memo "Joint Water Project Final Cost Allocation Among Village of Port Byron, Town of Mentz & Town of Montezuma" has been fully recorded in the Book of Minutes of the Board of Trustees in my office.

In witness whereof, I have here unto set my hand at this

10th day of December 2018.

Caitlin Bacon

(signature)

At 7:51PM Ms. Pennypacker and Ms. Benson exited the Board meeting.

Mayor Wilson then introduced a letter he had written, to help clarify the funds in the bank, from the settlement during the Joint Water Project. The Village Board were all given copies and agreed to send the letter to the members of Mentz and Montezuma.

Trustee Fenton asked if the Village could prepare a letter of this nature to the Canal Corporation, DEC, and all other parties involved, regarding the Erie Canal and the flooding. Village Clerk Bacon stated she will work on this.

Mayor Wilson moved to the next item on the agenda, the Port Byron Snow Panthers Snowmobile Club requesting to continue the trail as last year, through the Village. Mayor Wilson expressed concern with the portion of the trail that goes through Savannah Bank drive-thru, the wrong way.

Motion to allow the Port Byron Snow Panthers Snowmobile Club to use the trail, as requested, by Trustee Fenton.

Motion was seconded by Trustee Jump.

All in favor: 4-0

Mayor Wilson presented the results of the walk through with Mr. Lewandowski from NYMIR. Mayor Wilson addressed the report and marked the recommendations appropriately. Village Clerk Bacon to return report to Mr. Lewandowski.

Mayor Wilson presented a report from Cayuga County Health Department regarding an inspection of the water supply. Mayor Wilson read the report aloud.

Mayor Wilson moved to the proposals from TDS and Spectrum for internet, due to the TDS contract expiring. Due to the unknown of what would happen to our email account, since it is @tds.net, further research is needed.

Mayor Wilson brought up an issue that has surfaced regarding the back up sewer operator, Foster Gray, whom stated that he does not carry liability insurance. After speaking to civil service, the Village of Port Byron can add him to the payroll, and Mr. Gray would be covered under the Village's policy. Village Clerk Bacon clarified with civil service to appoint Mr. Gray to the Waste Water Treatment Operator, PT. Motion to appoint Mr. Gray to Waste Water Treatment Operator, with the Village of Port Byron, made by Trustee Fenton.

Motion was seconded by Trustee Jump.

All in favor: 4-0

Mayor Wilson moved to the reports:

The DPW report, submitted by Superintendent Sims, was reviewed. An update on the garbage truck from last month was given. Comments on the Miox system were made regarding service.

The Code Enforcement Report, submitted by CEO Tanner, was reviewed. Update on Church St. was given regarding the DePaul Agency purchasing the property.

The Police department report, submitted by I-OIC Bacon, was reviewed. No questions arose.

The Fire department report, submitted by Chief Rooker, was reviewed. An update regarding the Cancer benefit was given.

No treasurer's report was submitted.

Motion to accept all reports as submitted, made by Trustee Fenton.

Motion was seconded by Mayor Wilson.

All in favor: 4-0

Abstained: Trustee Bell from Fire Report

Mayor Wilson presented the proposal from Fust Charles Chambers, LLP. The recommended audit agency from Cuddy and Ward. The proposal was the first year \$10,900 the first year, \$11,150 for the second year and \$11,400

Mayor Wilson notified the Board of a need to make a recommendation to the County Planning Board.

Motion to nominate the current seat, Richard Rooker, to continue to serve on the County Planning Board, made by Trustee Bell.

Motion was seconded by Trustee Fenton.

All in favor: 4-0

Mayor Wilson read a letter aloud regarding the swim lessons with the YMCA. A copy of the letter was also sent to the Town of Mentz, explained by Mayor Wilson asking for the number of children, day of the week, and time.

Mayor Wilson gave an update on the flood issue. Mayor Wilson read an email sent from Village Clerk Bacon expressing concern regarding the water level. The email was responded to, by Mr. Barbuto, from the Canal Corp., stating that this was expected, due to rain.

Mayor Wilson communicated to the Village Board that we heard from Jeff Emerson, whom stated he was on a committee to research the Rewatering of the Erie Canal Grant, while in the Village Office to research Schasel Park, Mr. Emerson mentioned that there was a meeting in Brutus to discuss the project. And- that when Village Clerk Bacon informed Mr. Emerson that there has not been an invitation extended for the Village of Port Byron to attend. Mr. Emerson stated he would take notes.

Village Clerk Bacon gave an update on the street lights. After sending the contract back, NYSEG has ordered the lights, unknown install date.

Village Clerk Bacon gave an update on the Energy Impact item for energy upgrades. Still waiting on years 2013 and 2014 bills from NYSEG.

Mayor Wilson communicated an update to the Cayuga County Association of Villages diner hosted by Port Byron. Due to the new Sheriff, Brian Schenck, being out of town for the usually scheduled fourth

Tuesday, Port Byron is switching the date to the fifth Tuesday. Village Clerk Bacon to send an update to all the villages in January.

Mayor Wilson asked if there was a motion to accept the meeting minutes from prior Village Board meeting, November 12th, 2018, to be approved.

Motion to accept meeting minutes by Trustee Fenton.

Motion was seconded by Trustee Bell.

All in Favor: 4-0

Pre-audited bills and audit remaining bills:

Abstract #7

General Fund: Vouchers 170-203 \$21,837.82

Water Fund: Vouchers 302-310 \$17306.20

Sewer Fund: Vouchers 354-364 \$4,672.14

T&A Fund: Voucher 52-53 \$1,302.60

Total: \$45,118.76

Motion to pay the abstract #7, of unaudited vouchers, made by Trustee Bell.

Motion was seconded by Trustee Fenton.

All in favor: 4-0

Future Board meeting dates were discussed.

The need for a second board meeting in December was discussed, due to the Holidays, a second board meeting will only be scheduled if necessary.

Next scheduled Village Board meeting to be; January 14th and January 28th.

Mayor Wilson asked if there was anything else to discuss.

Trustee Bell brought up the details of Adam Ferri's interview, that he has now passed his CDL, has worked 6 months, and has successfully completed his probation period.

Motion to award Adam Ferri all details of his interview, resulting in a \$1/hour raise and a change in position from laborer to MEO, effective December 21st, 2018, made by Trustee Jump.

Motion was seconded by Trustee Fenton.

All in favor: 4-0

Mayor Wilson questioned the Village Board if there was anything else to discuss Nothing else to discuss.

Motion to adjourn the regular scheduled Village Board Meeting on December 10th, 2018 made by Trustee Jump.

All in favor: 4-0

Meeting Adjourned: 9:17PM

Village Clerk Bacon