

At a scheduled public hearing of the Board of Trustees of the Village of Port Byron held in the municipal building at 7:00PM, the following people were present:

Mayor: Ronald Wilson

Trustee: Jeff Emerson

Trustee: Pat Fenton

Trustee: Jeff Girvin

Trustee: Mary Jump

Village Clerk: Sandy Hall

Village Treasurer: Ashley Huband

Public: Taylor Bottar

Mayor Wilson called the meeting to order at 7:00PM. Mayor Wilson asked everyone present to please stand for the Pledge to the Flag and a Moment of Silence.

Taylor Bottar is attending the meeting with all board members present to talk about the planning grant we can vote on. We applied for this grant last summer. Talyor explained that 20% employee time equals about \$6000, which means not out of pocket. This is a 6-month process, and they will work with Sims with alternatives, ideas and how to proceed. The engineering agreement has 3 board resolution that would need to be done.

**Authorization for Representative to Execute Grant Agreement with NYSEFC**

**WHEREAS**, the Village of Port Byron has received an Engineering Planning Grant in the amount of \$24,950 for completing a Wastewater Treatment Plant Improvements Study and wishes to enter into agreement with the New York State Environmental Facilities Corporation (NYSEFC) for said grant.

**NOW, THEREFORE, BE IT:**

**RESOLVED** that the Village Mayor is authorized to execute a Grant Agreement with the NYS Environmental Facilities Corporation and any and all other contracts, documents, and instruments necessary to bring about the study and to fulfill the Village of Port Byron’s obligations under the Grant Agreement.

First motion to have resolution for the Village Mayor authorized to execute a grant agreement with the NYS Environmental Facilities corporation and any and all other contracts made by Trustee Girvin.

Second motion made by Trustee Emerson.

All in favor: 4-0-1

Trustee Jump Absent

**Authorization and Appropriation of Local Match**

**WHEREAS**, the Village of Port Byron has received an Engineering Planning Grant in the amount of \$24,950 for completing a Wastewater Treatment Plant Improvements Study, wherein said grant, awarded and administered by the New York State Environmental Facilities Corporation (NYSEFC), will require the Village to provide a local match of not less than twenty percent of the awarded grant.

**NOW, THEREFORE, BE IT:**

**RESOLVED** that the Village of Port Byron authorizes and appropriates a minimum 20% local match as required by the Engineering Planning Grant Program for the Village of Port Byron WWTP Improvements Study. Under the EPG program, this local match must be at least \$4,990 (20% of the EPG grant award of \$24,950). In-kind services totaling a minimum of \$4,990 in value will be used to meet the local match requirement. The Village Mayor may increase the in-kind service local match above \$4,990 without further approval from the Village of Port Byron.

First motion for resolution on authorization and appropriation of Local Match made by Trustee Girvin.

Second motion made by Trustee Emerson.

All in favor: 4-0-1

Trustee Jump Absent

### **SEQR Determination (Type II)**

**WHEREAS**, Title 6 of the New York Code of Rules and Regulations (6 NYCRR) Section 617.5 under the State Environmental Quality Review Act (SEQR) provides that certain actions identified in subdivision (c) of that section are not subject to environmental review under the Environmental Conservation Law;

**NOW, THEREFORE, BE IT:**

**RESOLVED** that the Village of Port Byron hereby determines that the proposed Village of Port Byron WWTP Improvements Study is a Type II action in accordance with 6 NYCRR Section 617.5(c)(27) which constitutes conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action; and is therefore not subject to further review under 6 NYCRR Part 617.

**RESOLVED** that the Village of Port Byron is authorized to take all actions reasonable and necessary to file the Negative Declaration and discharge the Village's responsibility as lead agency for this action.

First motion to have resolution for SEQR Determination made by Trustee Girvin.

Second motion made by Trustee Fenton.

All in favor: 4-0-1  
Trustee Jump Absent

Taylor Said that there will be a follow up paperwork. EFTC will give 50% up front to pay any bill after grant agreement and the other 50% after.

Mayor Wilson stated that Treasurer Huband called the banks to see what the interest rates are on bond anticipation note. When M&T called back; they said without a depository account; they could not do any loans or give us any interest rates. Mayor Wilson suggested that he thinks we should do a bond anticipation note of \$150,000 at 3% with Savannah Bank. Mayor Wilson stated that the line from Pine Street to Utica Street needs to be done. Trustee Givin communicated that we should get permission from the resident at 39 pine Street to dig on their property. Trustee Given said that we should sent a letter if we do the project to get an easement. Trustee Emerson said that we should get a returned mail with a yes or no and a document for an easement, then it will need to be on an abstract. Taylor said that he will check to see if any easement was done before; if it is recorded with the county then it will go from one owner to the next. No voting was taken at this time.

Taylor Bottar exited the meeting at 7:39 PM.

Mayor Wilson recused himself from the discussion of his daughter, Johanna Kuhlmann and son-in-law Matthew Kuhlmann applying for the housing grant and he exited the meeting at 7:40 PM.

Trustee Girvin lead the discussion about Johanna Kuhlmann and Matthew Kuhlmann applying for the grant. This process is for the housing grant because of the nature of the conflict with Mayor Wilson's daughter and son-in-law applying. To get a waiver request, we must openly discuss the nature of the conflict and need to obtain an opinion of council letter from the Village attorney for the conflict of interest. Trustee Girvin communicated that he sees no reason why she cannot apply for this grant. Mayor Wilson recuses himself from all discussion involving his daughter.

First motion to grant the waiver request made by Trustee Emerson.

Second motion made by Trustee Girvin.

All in favor: 4-0-1

Mayor Wilson recused himself

Mayor Wilson reentered the board meeting at 7:45PM.

Trustee Jump entered the board meeting at 7:46PM.

Mayor Wilson moved onto the special trash pickup. A small discussion was held around ideas on what to do about special trash pickup. There have been several issues in the past years when people have been bringing garbage in from outside the village and it has been costly with the prices going up. Trustee Girvin stated that it is not cost effective to do the special trash pickup at this time. The board openly decided that it is very costly to do a special trash pickup.

Mayor Wilson discussed the Village's Holiday Schedule for the Calendar year 2022-2023. After reviewing the calendar, Mayor Wilson asked if there were any questions from the board- no questions arose. Mayor Wilson asked for a motion to approve the Village's Holiday Schedule for the Calendar year 2022-2023.

First motion to accept the Village Holiday Schedule for the calendar year 2022-2023 made by Trustee Girvin.

Second motion made by Trustee Jump.

All in favor: 5-0

Mayor Wilson moved onto the salary schedule. Mayor Wilson stated that last year, he spoke with OIC Kalet and said that the salary would increase for the police officers within a 2-year span. Mayor Wilson communicated that there was an error with Sim's salary. The general fund should not be \$58424.00, but it should read \$21909.00. No other questions arose.

First motion to accept the salary schedule made by Trustee Girvin.

Second motion made by Trustee Jump.

All in favor: 5-0

Mayor Wilson stated that he gave the board a copy of the proposed budget to review. Mayor Wilson communicated that there has been more cost going up with ambulance for supplies, fuel, and cars. Mayor Wilson said that the ambulance and fire has been separated in the budget. Once this goes to the clerk, it will become the tentative budget and we will need a public hearing.

First motion to set the preliminary budget hearing for April 11, 2022, made by Trustee Girvin.

Second motion made by Trustee Emerson.

All in favor: 5-0

Mayor Wilson asked for a resolution to do transfers on these accounts:

- \$60726.25 from A688 to F688 for the ARPA fund
- \$1325.00 from A690 to A2610 Judge Invoices
- \$547.50 from A1990.4 to A1420.4 Law Invoice

First motion to do transfer made by Trustee Girvin.

Second motion made by Trustee Fenton.

All in favor: 5-0

Mayor Wilson communicated that we needed a new cleaner for the office especially for the court room floor. Mayor Wilson stated that Shane Bunce said he would come clean on Fridays for a couple hours.

First motion to hire Shane as our cleaner made by Trustee Girvin.

Second motion made by Trustee Emerson.

All in favor: 5-0

Mayor Wilson stated that we need to declare April as Fair Housing month for Thoma as part of the grant process.

First motion to declare April as Fair Housing month made by Trustee Girvin.

Second motion made by Trustee Jump.

All in favor: 5-0

Mayor Wilson moved onto the DePaul project. Mayor Wilson said that the permit needs to be renewed. It would be half of the original cost, which would be about \$7000. They did not get charge last year; the fee was waived because we were waiting to see if the grant was approved. The board had a discussion that we should follow what the law says.

First motion to follow the law and have them pay \$7000 for the permit made by Trustee Girvin.

Second motion made by Trustee Fenton.

All in favor: 5-0

There was a small discussion around the AUD corrections. Treasurer Huband stated that we just needed the fix assets, which was the big thing. Mayor Wilson stated that we used to have something in the office that listed them all on a card, but it was never kept up on. Treasurer Huband communicated that she will just email them back that we currently do not have them, and we are working on getting it. The other issue was that the joint water project loan- no one ever said that we paid on it, so they just kept doing adjustments and the past employees never kept up on it. No voting was taken.

Mayor Wilson stated for informational purpose only that the account from the old water joint project has \$9000 in it. We will be closing that account and moving it to the account that has the ARPA fund. No voting was taken.

Mayor Wilson communicated that Lucy Ware presented a letter to the board to please donated \$2500 for the senior citizen trip. Mayor Wilson stated that it is already in the budget for 2022-2023. No voting was needed.

Mayor Wilson said that Judge Bell would like to attend a dinner meeting on March 31, 2022.

First motion to allow Judge Bell to attend the dinner made by Trustee Girvin.

Second motion made by Trustee Jump.

All in favor: 5-0

Mayor Wilson said that Steven Sims and Steve Applebee would like permission to go to a class in Canastota on Thursday March 17, 2022.

First motion to allow them to attend class made by Trustee Girvin.

Second motion made by Trustee Jump.

All in favor: 5-0

Mayor Wilson moved onto a contract from Williamson Law on Water/Sewer for 4/1/22-3/31/23.

First motion to sign the Williamson Law Contract for Water/Sewer made by Trustee Girvin.

Second motion made by Trustee Jump.  
All in favor: 5-0

Mayor Wilson moved onto reports.

The codes Report, submitted by CEO Foster, was reviewed. There was a small discussion around 17 Moore Place. No other questions arose.

The FD report, submitted by Chief Rooker, was reviewed. No questions arose. Mayor Wilson also read out loud the annual election of officers for the Port Byron Fire Department. Mayor Wilson communicated that the only three we need to vote on for the election are as followed:

Chief: Corey Rooker

First Assistant Chief: Stephen Applebee

Second Assistant Chief: David Ware

First Motion to accept Corey Rooker as Chief, Stephen Applebee as First Assistant Chief and David Ware as second assistant chief for the Fire Department annual election of officers made by Trustee Girvin.

Second motion made by Trustee Jump.  
All in favor: 5-0

The PD Report, submitted by OIC Kalet, was reviewed. No other questions arose.

The DPW Report, submitted by Superintendent Sims, was reviewed. No other questions arose.

The Treasury Report, submitted by Treasurer Huband, was reviewed. Mayor Wilson stated that if you have any further questions; you can ask Treasurer Huband. No other questions arose.

First motion to accept the reports as presented made by Trustee Girvin.  
Second motion made by Trustee Fenton.  
All in favor: 5-0

Mayor Wilson communicated that we got a notification letter from Frank Miller that we got the order to give the money to Montezuma and Mentz; this is for informational purpose only.

Mayor Wilson stated that the next CCAV dinner will be hosted by Village of Cayuga at the Hilton on March 29<sup>th</sup>, 2022. We need to RSVP by March 23, 2022.

Mayor Wilson said that this is for Informational Purpose Only; we will be paying off the Fire Truck for \$9000 in May.

Mayor Wilson asked if the Village Board has reviewed the meeting minutes from prior Village Board meeting on February 14, 2022.

First motion to accept the minutes as presented made by Trustee Fenton.  
Second motion made by Trustee Jump.

All in favor: 3-0

Abstained: Trustee Girvin and Trustee Emerson

Mayor Wilson moved on to the pre-audited bills and audit remaining bills of Abstract #10.

General Fund: Vouchers 1248-1286 \$17639.81

Water Fund: Vouchers 708-723 \$21074.22

Sewer Fund: Vouchers 784-794 \$4271.14

T&A Fund: Vouchers 58-59 \$322.72

Total: \$43307.89

First motion to pay abstract 10 unaudited vouchers made by Trustee Givin.

Second motion made by Trustee Fenton.

All in favor: 5-0

Mayor Wilson discussed with the board; the application that was received for the DPW position. Trustee Girvin communicated that we should just hire Dave Ware; he is qualified, and we have been holding off on hiring for the past month. Trustee Emerson stated that maybe we should have a policy in place that not everyone can go on a fire/ambulance call.

First motion to hire David Ware at 18/hr. with a 6<sup>th</sup> month probationary period made by Trustee Girvin.

Second motion made by Trustee Emerson.

All in favor: 5-0

Mayor Wilson questioned the Board if there was anything else to discuss. Nothing else to discuss. Motion to adjourn the scheduled Village Board Meeting on February 14, 2022, made by Trustee Jump.

Second motion made by Trustee Fenton.

All in favor: 5-0

Meeting Adjourned: 9:30 PM

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Village Clerk Hall