

At a regularly scheduled meeting 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 Girvin
Trustee: Patrick Fenton
Trustee: Mary Jump
Trustee: Jeff Emerson

Village Clerk: Caitlin Bacon

Village Treasurer: Diana Warren

Public Present: Mr. DeLue, Mrs. DeLue, Foster Gray, Deb Felice, Joe Felice, Leonard Witowski, Richard Burke, Dr. Linda Townsend

Mayor Wilson called the meeting to order at 7:02PM. Mayor Wilson asked everyone present to stand for the Pledge of Allegiance and a moment of silence.

Mayor Wilson asked if there was anything the Public would like to discuss.

Mr. and Mrs. Felice were present to request a sewer adjustment, due to an installation of a new pool. Village Clerk Bacon noted that Elliott VanDerVeer, whom with an unfortunate event, could not be here tonight, was also requesting the same.

Mayor Wilson reminded the Village Board that in the Sewer Ordinance, residents could request a onetime adjustment of sewer if they had a building permit for a new pool and the gallons used to fill the pool, at the discretion of the Village Board.

Motion to allow for the adjustment of the sewer charge on the water accounts for Felice and VanDerVeer made by Trustee Jump.

Motion was seconded by Trustee Girvin.

All in favor: 5-0

Mr. Witowski stated that the DPW did come to 28 Pine street and did a good job on his ditch, however, is still getting a lot of water and believes it to be the driveway of the house next door. Mr. Witowski mentioned that his next-door neighbor had a basement wall cave in.

Mayor Wilson explained that with the torrential down pours, the extremely wet summer, the grates and drains working properly and dealing with private property, there is no solution from the Village.

Mr. Felice questioned grates from the water project in 2015.

Trustee Girvin asked if the grates are clean, Mr. Felice was unsure if the grate was even there anymore.

Mayor Wilson stated that he would check with the DPW regarding the questioned grate and recheck drains and ditches in the surrounding area.

At 7:24PM Mr. and Mrs. Felice exited the Village Board Meeting.

Dr. Townsend passed a folder out to each member of the Village Board.

At 7:27PM Mr. Witowski exited the Village Board Meeting.

Dr. Townsend spoke, also on behalf of Village Historian Roe, whom unfortunately could not attend tonight's meeting, regarding the Amos King Bible and the Lincoln Funeral Train and requested that the Village of Port Byron support the installation of two historical markers to acknowledge the local history.

Motion to accept the responsibility of installation and maintenance of two historical markers, and to write a letter of support to the Pomeroy Foundation to accept such things, made by Trustee Girvin.

Motion was seconded by Trustee Jump.

All in favor: 5-0

Village Clerk Bacon to prepare the letter of support per Dr. Townsend's template.

Mayor Wilson asked the public if there was anything else to discuss. No other business from public present.

Mayor Wilson presented a sewer recertification, submitted by the back up sewer operator, Foster Gray. Mr. Gray was requesting reimbursement for the class, as it is needed to perform his duties at the sewer plant. Mayor Wilson questioned Mr. Gray if this was split between the other companies he works for, Mr. Gray stated that it was not, that Port Byron was the only municipality he works for. Mayor Wilson questioned how long the license is good for, Mr. Gray stated 5 years.

Motion to reimburse Mr. Gray, for the class to obtain his sewer recertification, made by Trustee Girvin.

Motion was seconded by Trustee Emerson.

All in favor: 5-0

Motion to add the reimbursement cost to the current warrant of unaudited funds made by Trustee Emerson.

Motion was seconded by Trustee Girvin.

All in favor: 5-0

Mayor Wilson explained that Mr. Burke was present due to a ditching issue.

Mr. Burke believes that the ditch is a Village problem by stating that an Earl Benedict, many decades ago, was representing the Village when he installed the 70ft pipe.

Mr. Burke explained that a few years ago, his neighbor, Mr. Ed Coleman, complained about the ditch having standing water and the Village cleared the ditch out, and since then, the ditch has been unstable. Mr. Burke believes that this could be a legal problem for the Village as public water is draining onto private property but does not want to pursue this.

Mayor Wilson explained that the DPW denies having anything on record regarding the ditch, yet, in the past, residents have purchased pipe from the Village and then install it themselves.

Mayor Wilson explained that the DPW Superintendent did quote \$827 for 36" pipe at 20ft. and \$584 for 30" pipe at 20ft.

Mr. Burke reiterated that there are legal implications, but he is not going there.

Mr. Burke also did not think the pipe was that large, and it was left that the size of the pipe will be researched, the Village Board will do some more research and right now, to leave everything as it is until more information is found.

Mayor Wilson presented a letter from B&L stating that the MWBE effort and contract amount had been rectified.

Village Clerk Bacon explained that another bill had been sent to pay for reviewing of the MWBE reports and explained to B&L that until B&L rectifies the situation, the Village will continue to be billed. Mr. Bottar, an employee of B&L agreed to disagree with the bill received by municipal solutions as their error, yet, stated he would send the requirements that EFC and Municipal Solutions needed to rectify the issue. Village Clerk Bacon explained that the Village should not receive any more bills from Municipal Solutions since B&L has rectified the paperwork and the EFC accepted the letter.

Village Clerk Bacon also stated that after a conversation with Municipal Solutions, it is believed that the Village should be receiving their reimbursement check soon.

Mayor Wilson presented the Fire Department fundraisers for the pancake breakfast, submitted by the Port Byron Fire Department, for approval.

Motion to accept the 2019-2020 dates for the fire department pancake breakfast fundraiser made by Trustee Girvin.

Motion was seconded by Trustee Jump.

All in favor: 5-0

Mayor Wilson moved to reports.

The DPW report, submitted by Superintendent Sims. Report was reviewed.

The chlorination station was noted that it was not working properly and DPW was hand mixing.

The police report, submitted by OIC Bacon, was reviewed.

Mayor Wilson did note that in October, the SUV has been to the dealership twice for leaking transmission fluid, covered under warranty, however, shifts have been cancelled due to no working car.

Trustee Emerson noted the award of the grant for police vests.

Motion to purchase three vests, with the grant award money, made by Trustee Emerson.

Motion was seconded by Trustee Girvin.

All in favor: 5-0

The Fire report, submitted by Chief Rooker, was reviewed. No questions arose.

Trustee Girvin requested to discuss the trailer that the Fire department has implored to purchase. The Village Board discussed the use of the trailer, that instead of needing two trucks, with two drivers, the trailer would serve as a way to need one driver and the trailer would attach to the brush truck with all the extra supplies needed for a call, yet, only need one driver.

Motion to purchase the trailer from Performance Automotive made by Trustee Girvin.

Motion was seconded by Trustee Fenton.

All in favor: 4-0

Did not vote: Mayor Wilson

The Treasurer's report, submitted by Treasurer Warren was reviewed. No questions arose.

Treasurer Warren stated that she noted on the report that Trust and Agency continues to be unbalanced, but is continuing to work on it.

The Code Enforcement report, submitted by CEO Tanner, was reviewed. No questions arose.

Motion to accept all reports, as presented, made by Trustee Girvin.
Motion seconded by Trustee Emerson.
All in favor: 5-0

The Justice report, submitted by Justice Bell, was reviewed.
Motion to accept the Justice report, as presented, made by Trustee Girvin.
Motion was seconded by Trustee Fenton.
All in favor: 5-0

Mayor Wilson communicated that the invoice to Weedsport for use of the garbage truck and lawyer fees was sent. There has been no response from Weedsport.
Motion to send the previous invoice amount and add an invoice for the current lawyer fee on the current warrant of unaudited funds made by Trustee Girvin.
Motion was seconded by Trustee Emerson.
All in favor: 5-0
Village Clerk Bacon to prepare and mail the invoice to Weedsport.

Mayor Wilson communicated a correspondence from AECOM, at a prior meeting, the Village Board signed to agree to let AECOM be lead Agency in a NY Power Authority Project. AECOM sent to SEQR for information on impact of the project.

Discussion regarding Village Clerk Bacon's maternity absence was had. Village Clerk Bacon gave options that the Village had to choose from. Village Clerk Bacon to research potential candidates to cover in her absence.

Mayor Wilson asked if the Village Board had reviewed the meeting minutes from September 23rd, 2019. After reviewing the minutes, Mayor Wilson asked if there was a motion to accept the meeting minutes from prior Village Board meeting, September 23rd, 2019, to be approved.
Motion to accept meeting minutes by Trustee Emerson.
Motion was seconded by Trustee Jump.
All in Favor: 3-0-2
Abstained: Trustee Jump and Trustee Girvin

Pre-audited bills and audit remaining bills:
Abstract #5
General Fund: Vouchers 124-166 \$79,928.77
Water Fund: Vouchers 396-406 \$6,648.09
Sewer Fund: Vouchers 489-502 \$6,309.20
T&A Fund: Vouchers 77-80 \$3,012.05
Total: \$95,898.11
Motion to pay the abstract #5, of unaudited vouchers made by Trustee Girvin.
Motion was seconded by Trustee Fenton.
All in favor: 5-0

The Village Board discussed the schedule for the future board meeting.
The Village Board did not see the need for the fourth Monday meeting, as that is only a week away. Next Village Board meeting to be November 18th, 2019, rescheduled due to the Veteran's Day Holiday. As of right now, the Village Board did not see the need for the fourth Monday meeting on November 25th, 2019, as that is only a week away the 18th, and back to regularly scheduled meetings on December 9th, 2019.

Mayor Wilson questioned the Village Board if there was anything else to discuss.
Trustee Emerson stated that he has worked on three policies, that have been edited by Village Clerk Bacon, to be submitted to the Village Board for review and possible adoption. Policies submitted were Ethic's, Cyber Breach, and credit card.
Trustee Emerson asked the Village Board for a resolution to allow him to work on one-two policies a month until the Village is up to par with standard policies.
Motion to allow Trustee Emerson to work on policies to submit to the Village Board made Trustee Girvin.

Motion was seconded by Trustee Emerson.

Mayor Wilson stated that a resolution was not required for Trustee Emerson to partake in this project.

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 October 21st, 2019 made by Trustee Emerson.

Motion seconded by Trustee Girvin.

All in favor: 5-0

Meeting Adjourned: 9:04PM

Village Clerk Bacon